HER MAJESTY’S GOVERNMENT

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

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16 July 2018
Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—
British Citizenship Fees: Children

2. Tim Farron (Westmorland and Lonsdale) (LD): What assessment he has made of trends in the level of fees his Department charges for registering children as British citizens. Is this not profiteering at the expense of young people who seek to pledge their future to Britain? Is this not another Windrush scandal in the making, with people not getting the documents now that officials will rely on in future? The Home Secretary knows that he faces a legal challenge on this issue, so will he do the right thing and end these excessive charges now?

Sajid Javid: I will not speak about the legal case, for obvious reasons, but I have to disagree with the hon. Gentleman. It is right that there is a balance between the costs faced by the individuals who make applications and those faced by the taxpayer. It is sensible to keep those costs under review, and it is right that Parliament makes the decision on whether costs are changed.

23. Patrick Grady (Glasgow North) (SNP): Is the Home Secretary really proud of making more than £100 million of profit for the Home Office in the past five years from these charges? Given that the number of applications is going down while fees are going up, is he absolutely certain that the fee is having no implications for people’s decisions on whether to apply for citizenship?

Sajid Javid: The hon. Gentleman talks of it as profit, but the revenue generated is used not just to provide public services to those people who make applications but to support wider public services. As I said, it is right that we have a balance between the costs of an application and the costs to which the taxpayer is exposed.

UK Visas and Immigration

3. Rosie Cooper (West Lancashire) (Lab): What recent assessment he has made of the performance of UK Visas and Immigration against its target times for responses to members of the public.

The Minister for Immigration (Caroline Nokes): The UKVI contact centre has set contractual targets for the commercial partner that delivers contact-centre services on its behalf. The achievement of those targets is monitored
daily through the service-management team, to assure achievement. The team holds formal board review meetings monthly to review performance against the set key performance indicators.

Rosie Cooper: Is the Minister satisfied with the current target times and does she think they are appropriate? My constituent made an application in November 2017 and has not heard a single thing since—nothing.

Caroline Nokes: It is important to note that service standards are met in the vast majority of cases. If applications are not straightforward, we do not set a service standard, because we think it is right that applications should be considered thoroughly and in detail.

Mr John Whittingdale (Maldon) (Con): Is my right hon. Friend aware of the chorus of complaints from countries such as Moldova, Ukraine and Georgia, where businessmen who want to come to do trade deals with us—indeed, in some cases Members of Parliament or Government Ministers from those countries—are facing lengthy delays in obtaining visas, and in some cases outright refusal? Will she have another look at the issue? It is doing real damage to our relations with those countries.

Caroline Nokes: UKVI issues 2.7 million visas every single year and, as I said, the vast majority are done within our service standards. I am happy to look into my right hon. Friend’s point, because in a Britain that is outward-looking, global and open for business, it is important that visas are issued efficiently.

David Linden (Glasgow East) (SNP): The Home Affairs Committee report on Home Office delivery of Brexit found that a lack of experience among staff resulted in life-changing consequences. What is the Department doing to improve the recruitment and retention of staff to make sure that, while targets are met, the quality of decision making is still ensured?

Caroline Nokes: The quality of decision making is of course important. We work closely with our caseworkers to make sure that they have the right level of training. In many instances, we sit senior caseworkers with those who are more junior, until such time as they can be confident in the decisions that they make.

Sir David Evennett (Bexleyheath and Crayford) (Con): Will my right hon. Friend reassure me that UKVI has the resources it needs to be effective and efficient?

Caroline Nokes: There is of course a mixture of resources. As we heard from my right hon. Friend the Home Secretary, the fees that are levied for the UKVI service make a contribution towards the cost of that service and towards the wider border costs in general. It is important that we have the right number of staff and that they work efficiently, and we are taking steps to ensure that that is the case.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): Is the Minister aware that delays in responding are one of the biggest problems for the public, for business and for Members of Parliament trying to help their constituents? I have innumerable such cases, including that of Ms Rettie Grace Downer, who submitted an application for further leave in 2005 and whose application is still outstanding 13 years later. Does she recognise the danger of sounding complacent on this issue, and what will she do to further bear down on these unacceptable delays?

Caroline Nokes: Although I cannot comment on individual cases, the right hon. Lady has, of course, pointed to a case that was started in 2005 under a previous Labour Administration. I am sure that she will be pleased to hear—[Interruption.] She can shout at me from a sedentary position, but I am sure that she will be pleased to hear that, at a recent away day for border and immigration staff, I made it very clear that one of my highest priorities is making sure that responses to Members of Parliament and the public are of the highest priority so that we see prompt responses.

Knife Crime

4. Colin Clark (Gordon) (Con): What recent steps he is taking to tackle knife crime.

The Secretary of State for the Home Department (Sajid Javid): The Government are very concerned about the increase in knife crime and the devastating impact that it has on victims, their families and communities. That is why we published a serious violence strategy in April, setting out action to tackle knife crime, including new legislation in the Offensive Weapons Bill, the launch of the £1 million community fund and continuing police action under Operation Sceptre.

Colin Clark: I welcome the Offensive Weapons Bill, which will put tough legislation in place and make it harder than ever before for people to get dangerous weapons. Will my right hon. Friend reassure my constituents that banning the delivery of bladed articles to residential addresses will not prevent the legal pursuits of tradesmen and hobbyists?

Sajid Javid: I thank my hon. Friend for that. I am happy to confirm that the Bill provides defences for a number of items that otherwise would be prohibited, especially those that otherwise would have been delivered to a residential address. This includes bespoke knives and bladed products and those that might be used in re-enactment activities. I can assure him that he will still be allowed to toss the caber in the Highland games.

Mr Speaker: I am sure that that is greatly reassuring for the hon. Gentleman.

Vicky Foxcroft (Lewisham, Deptford) (Lab): This Wednesday, the Youth Violence Commission will publish its interim policy report. Last year, knife crime increased by 22% and, in London, we have had another tragic spate of stabbings over the weekend. We must urgently seek long-term solutions. Will the Secretary of State commit to engaging with the recommendations of the cross-party Youth Violence Commission?

Sajid Javid: First, the hon. Lady is absolutely right to raise this issue. I can assure her that we are doing everything we can working not just across parties, but with a number of groups that have a lot to contribute. We have already made a commitment to work with the all-party parliamentary group. The Under-Secretary of
Mr Oliver Heald (North East Hertfordshire) (Con): My right hon. Friend will be aware that, often in restraining suspects with knives, service animals such as police dogs are injured. It is very welcome that the Government are supporting my private Member’s Bill, the Animal Welfare (Service Animals) Bill, but does he agree that the recent consultation by the Secretary of State for the Environment is also an important step forward in trying to increase the sentence so that this sort of knife crime is really put down?

Sajid Javid: I very much agree with my right hon. and learned Friend. I would like to see an increase in sentencing for those who engage in terrible cruelty to animals. May I also take this opportunity to thank him for his Bill and say that we are very happy to support it?

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Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I am sure that the Home Secretary does not want to trivialise this issue, but the fact of the matter is that the real concern—the deep roots of this issue—is very often the emergence of gangs in all of our towns and cities and in our schools. What will we do to combat not just knife crime, but the gangs that seem to promote it?

Sajid Javid: Again, this is an important issue in this debate. There is a lot more that we can do both in Government and in working with other organisations, including community organisations, especially in terms of early intervention and prevention. The funding that was allocated, such as the £11 million on early intervention and youth grants, will make a difference as will the new national centre to co-ordinate action based on county lines.

Philip Davies (Shipley) (Con): I wonder whether the Home Secretary has decided to accept the suggested amendments that I made on Second Reading of the Offensive Weapons Bill, not least the one where, currently, the offence of threatening somebody with a knife applies only to public places. Does he agree that the offence of threatening with a knife should apply to everywhere it is done, including in private places as well?

Sajid Javid: I remember that debate very well. I thought that my hon. Friend made a thoughtful and valuable contribution. I listened carefully to the suggestion he made then, which is why I am considering it.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The law governing what type of knife people can buy across the counter in Scotland is different from the law in England. Yet a knife can kill regardless of whether it is English or Scottish. What discussions has the Home Secretary had with the Scottish Government with a view to bringing these laws more into line?

Sajid Javid: We have been having extensive discussions with the Government in Scotland, and they have indicated that they will be supporting the measures in the Bill through a legislative consent motion.

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Nick Thomas-Symonds (Torfaen) (Lab): Knife crime is often associated with county lines. I asked the Security Minister at a recent Home Office questions how the national county lines co-ordination centre was to be funded and was told that it would be through the police transformation fund. I then received a letter saying that “it does not come from the Police Transformation Fund…and I apologise if this is the impression given.”

But the same letter says that “projects and programmes funded through the PTF will support the strategy’s aims.”

So how are the Government funding their anti-county lines programme? Is it all from new resources or not?

Sajid Javid: First, I hope that the hon. Gentleman recognises the importance of dealing with the whole issue of county lines and welcomes the new co-ordination centre. It will be funded through the commitment of £40 million into the serious violence strategy, and the centre’s funding specifically will be £3.6 million over the next two years.

Immigration: Skilled Workers

5. Helen Whately (Faversham and Mid Kent) (Con): What steps he is taking to ensure that the immigration system facilitates the hiring of sufficient skilled migrant workers for the UK’s needs.

11. Mr William Wragg (Hazel Grove) (Con): What steps he is taking to ensure that the immigration system facilitates the hiring of sufficient skilled migrant workers for the UK’s needs.

13. John Howell (Henley) (Con): What steps he is taking to ensure that the immigration system facilitates the hiring of sufficient skilled migrant workers for the UK’s needs.

The Secretary of State for the Home Department (Sajid Javid): The Government are committed to an immigration system that operates in the national interest and ensures that businesses can attract the talented migrants that they need. From 6 July, we removed all doctors’ and nurses’ posts from the yearly cap of 20,700 places, ensuring that the NHS is able to recruit the clinical staff that it needs.

Helen Whately: The hot weather means that apples and pears may be ready to harvest early this year, as was the case last year when growers in my constituency struggled to harvest their crops. Will my right hon. Friend update me on the prospects for a seasonal agricultural workers scheme to ensure that farmers have the workforce that they need to harvest British fruit and vegetables?

Sajid Javid: I am very sympathetic to the issue that my hon. Friend has raised. As we design our future immigration system, I want to ensure that it takes into account the seasonal demand for labour not only in agriculture, but also perhaps in hospitality. That is why we have asked the independent Migration Advisory Committee to look at this issue. We will see what we can do when the committee reports back.
Mr Wragg: My right hon. Friend is absolutely right to support a better controlled and fairer migration policy. I wonder whether he can tell me when the long-delayed White Paper on the subject will be published, so that the public know that we are taking it seriously.

Sajid Javid: I know that my hon. Friend will agree with me that it is fantastic that we will now have an opportunity—for the first time in decades—to design our own immigration system. We should take that seriously, as we are. It will be led by the White Paper, which will come out soon after the summer recess, and an immigration Bill that will make all the changes that are recommended and debated in Parliament.

John Howell: I am glad that doctors and nurses have been excluded from the cap on skilled workers, which will free up many additional places for other highly-skilled occupations. Will my right hon. Friend give an assessment of how these regulations have worked since they have come into force?

Sajid Javid: I thank my hon. Friend for welcoming the changes and for his support. It is a bit too early to give an assessment, since the changes only came into play on 6 July. Like my hon. Friend, I am confident that they will not only help to provide some of the high skills that our economy needs, but will actually go on to create jobs.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): Ministry of Justice figures show that half of immigration cases that go to appeal in England and Wales are overturned. Does the Secretary of State agree that the situation needs urgent attention and that those flaws need to be addressed before the European citizens who are in the UK have to apply for settled status?

Sajid Javid: The hon. Gentleman will know that we get tens of thousands of applications each year. Unfortunately, in many cases not all the information that is asked for is provided in the first instance. Officials will chase that up, and they will do so in a way that is as helpful as possible. If people want their application to be looked at in a timely manner, it is always helpful if all information is provided up front.

Dr David Drew (Stroud) (Lab/Co-op): We have had numerous debates and countless questions on this issue. Is it not about time that the Home Office got together with the Department for Environment, Food and Rural Affairs and sorted this problem out? It is estimated that last year we ploughed back into the ground about 10% of our fruit and vegetables: what is it going to be this year?

Sajid Javid: I can assure the hon. Gentleman that the Home Office works very closely with DEFRA, as with other Departments, on issues affecting migration. With regard to making sure that we have the talent and skills we need for our agricultural sector, working with DEFRA is exactly what we are doing.

Joanna Cherry (Edinburgh South West) (SNP): Scotland needs more than those termed “skilled” under the immigration rules. The continued availability of workers from other EU countries is vital to employers across the Scottish economy. Is not the comprehensive economic and trade agreement-style mobility framework suggested in last week’s White Paper a recipe for disaster for employers other than London-based multinationals?

Sajid Javid: No, it is not.

Joanna Cherry: Maintaining and increasing Scotland’s working-age population is vital for Scotland’s continued economic prosperity. Last week’s White Paper says that the UK Government will design a mobility framework that works for all parts of the United Kingdom. When is the Home Secretary going to meet his Scottish Government counterparts and engage in how the future immigration policy will impact on Scotland?

Sajid Javid: I am sure that the hon. and learned Lady agrees that we want an immigration system that serves the national interest—that brings immigration down to sustainable levels but also gives the skills that we need for the entire UK, of course including Scotland. My right hon. Friend the Immigration Minister is planning to visit Scotland this summer to meet Ministers.

John Redwood (Wokingham) (Con): I am glad that my right hon. Friend is working on a new UK-based migration policy to hit the Government’s targets. Does he accept that we might need this as early as 30 March next year if we leave without an agreement?

Sajid Javid: As always, my right hon. Friend makes a very important point. While we are working on the basis that we will not need it as early as 30 March, he is absolutely right to point out that we should be prepared for all eventualities, and that is exactly what we are doing.

Firefighter Training

6. Jo Platt (Leigh) (Lab/Co-op): What recent assessment he has made of the effect of changes to fire services’ staffing levels on the capacity of those services to deliver firefighter training.

The Minister for Policing and the Fire Service (Mr Nick Hurd): It is extremely important that every firefighter receives the right level of training for the very demanding work that they do. The new national framework makes a requirement for every single fire service to have a strategy, as all 45 do, and now independent inspection will help us to get a better view of what good looks like and where training is not good enough.

Jo Platt: Across Greater Manchester in the past year we have seen a 31% increase in the number of special service calls to our fire service, including many calls to reports of cardiac arrests. This is placing an enormous strain on our talented and dedicated firefighters. What will the Government be doing to resource fire services to provide the support and training needed to cope with this additional pressure?

Mr Hurd: With respect to the hon. Lady, I do not think it is an issue of resources, because fire budgets have been held flat in cash terms despite a backdrop of a 50% fall in fires over the past decade. The fire system has found the flexibility in its budgets to move over a quarter of a billion pounds-worth of taxpayers’ money into research. However, it is absolutely important in this next phase that we have a better understanding of how consistent good training is across the system.
Mr Philip Hollobone (Kettering) (Con): Firefighter staffing in Northamptonshire will soon be the responsibility of the new combined police and fire commissioner. Will the Minister work with the Ministry of Housing, Communities and Local Government to ensure that Northamptonshire County Council, which currently governs the fire service, hands over to the commissioner the correct financial resources to get the new organisation off to a good start?

Mr Hurd: The short answer is yes. My hon. Friend and I both understand the historical context to this and some of the difficulties and complexities. I am sure that the council will want to co-operate fully with the new arrangements.

Karen Lee (Lincoln) (Lab): Firefighter Michael Dowden told the Grenfell inquiry that he had not received any familiarisation training before his inspection of Grenfell Tower in 2016. With cuts to 11,000 fire service jobs, station closures and privatisation of training delivery, our overstretched fire services—despite the Minister’s usual comments about resources—are struggling to complete the training they need. With all this in mind, what specific measures is he taking to ensure that fire services have the capacity to deliver the training that our firefighters need to keep both themselves and our communities safe?

Mr Hurd: It is the responsibility of each fire chief to ensure that their local teams are properly trained. They have the resources to do that, as I made clear in my earlier answer.

**Immigration and Nationality: Fees**

7. Chris Stephens (Glasgow South West) (SNP): Whether he plans to change the fees for immigration and nationality applications; and if he will make a statement. [906456]

The Minister for Immigration (Caroline Nokes): The Home Office reviews all immigration and nationality fees annually, with any changes normally implemented in April each year. We currently have no agreed plans to do that, as I made clear in my earlier answer.

Chris Stephens: The Minister will be aware that immigration fees for limited leave to remain have increased by 79% in four years to £1,033 per person, with no reduction for children. Does he appreciate that the cost can be crippling for families with a number of children going through that process, and will he at the very least look at reducing fees for children so that they cover processing alone?

Caroline Nokes: I thank my hon. Friend for his question. I am of course alive to the points made at recent Home Affairs Committee meetings and in the recent Lords debate on child citizenship fees. In due course, I will also consider the findings of the scheduled review by the independent chief inspector of borders and immigration.

Caroline Nokes: I thank my hon. Friend for his question. He will of course have heard me say that fees are reviewed annually, and we will continue with that policy. He is right, however, to point out that we will still seek to attract the brightest and best, and our future immigration Bill will set out exactly how we intend to do that.

Siobhain McDonagh (Mitcham and Morden) (Lab): Does the Minister agree with Mark Thomson, the director general of UK Visas and Immigration, who said at a recent MPs’ casework meeting that those who pay for premium services but do not get their visas on the same day should have their fees returned to them?

Caroline Nokes: I was not present at that meeting, so I cannot comment on that specific case, but I am very conscious that Her Majesty’s Passport Office and UKVI work very hard to ensure that we deliver within service standards. Where fees are looked at and there is a genuine case for a refund, we do make refunds.

Tim Loughton (East Worthing and Shoreham) (Con): The Home Affairs Committee’s recent report on the Windrush scandal shows that the whole immigration and nationality application service is hugely complicated, very bureaucratic and needs completely overhauling and streamlining, and that fees bear no relationship to the service’s efficiency or cost. Will the Minister guarantee that the additional costs of sorting out the Windrush scandal will not be used as an excuse, under full cost recovery, to jack up fees yet further?

Caroline Nokes: Of course, the lessons learned review that is commencing into Windrush will be an important opportunity for us to review all practices across UKVI and ensure that such an appalling scandal cannot happen again. My hon. Friend will have heard comments about reviews of fees, which happen annually, but I point out that we passed primary legislation in 2014 that allows the Home Office to charge fees that not only recover the cost of individual applications but contribute to the whole borders and immigration system, thus helping to secure our borders and ensure that we are safe.

**Immigration Detention: Children**

8. Mary Creagh (Wakefield) (Lab): What is his policy on the treatment of children whose parents are under immigration detention. [906457]

The Minister for Immigration (Caroline Nokes): The welfare and safeguarding of children is at the heart of the family returns process, and our policy is clear that we do all we can to keep families together. Other than in exceptional circumstances, a child will not be separated from both parents for immigration purposes. Detention is used sparingly, for the purposes of public protection and removal. We encourage those with no right to remain in the UK to leave voluntarily, and all detainees have the right to bail, which is decided by a judge.

Mary Creagh: Despite compelling evidence of the harm caused to children by the indefinite detention of their parents, the Home Office continues to separate them in an arbitrary and cruel manner, but its replies to my questions show that it has no idea how many children are currently separated. The Department paid £50,000 in compensation after a three-year-old girl was...
Caroline Nokes: In the case raised by the hon. Lady, the Home Office acknowledged its mistakes and indeed paid compensation. It is worth remembering that more than 1,000 children went into detention in 2009, whereas only 44 did so in the last year for which figures are available. The Home Office has taken significant steps to ensure that children are not detained with their parents, and they can be in an immigration removal centre only when they can be removed within 72 hours.

Neil Gray (Airdrie and Shotts) (SNP): This year, Bail for Immigration Detainees has represented 155 parents separated from their children while in immigration detention, yet the Prime Minister states that that is not the Government’s practice. Can the Minister condemn the practice and finally stop it?

Caroline Nokes: There is clear and published guidance on how a family unit may be defined, and on the separation of individuals from their family group for immigration reasons. Cases may involve pre-existing separation of family units for non-immigration reasons. For instance, in the case of foreign criminals, children might already have been taken into care when the individual received a custodial sentence.

Afzal Khan (Manchester, Gorton) (Lab): The Prime Minister has condemned Trump’s family separation policy, but this Government’s hostile environment separates parents from their children every day. As my hon. Friend the Member for Wakefield (Mary Creagh) pointed out, last week the Home Office was forced to pay £40,000 in damages for falsely imprisoning a father, unlawfully separating him from his daughter for three months. The Home Office failed at every stage of the process. The Home Secretary has said that he will pause the hostile environment, but immigration detention is a key part of it. Will the Government look again at indefinite detention, and at the use of detention more widely, and publish the Shaw review in good time for us to examine it before the summer recess?

Caroline Nokes: The hon. Gentleman will have heard me say that some cases might involve pre-existing separation. As I have highlighted, back in 2009 there were more than 1,000 children in detention, and that number has now been reduced to 44. The Home Office has acknowledged the mistakes that were made in the case he mentioned, but it is important to reflect on the role that detention plays in ensuring that those who have no right to be here and no right to our public services are removed in a timely manner.

Police Officer Numbers

9. Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): What recent assessment he has made of the effect of changes in the number of police officers on the level of serious crime.

12. Mohammad Yasin (Bedford) (Lab): What recent assessment he has made of the effect of changes in the number of police officers on the level of serious crime.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): In April, we published our serious violence strategy, which sets out a range of factors driving increases in violent crime. Our analysis shows that changes in the drugs market are a major factor behind the recent increases in serious violence.

Gill Furniss: South Yorkshire police have seen their budget reduce by £66 million in real terms since 2010, and they expect more to come. In Sheffield, knife crime has increased by 41% over the past year. Does the Minister agree that reducing police numbers has a direct effect on this staggering upward trend in violent crime, which has led to many tragic deaths and left many families grieving?

Victoria Atkins: I thank the hon. Lady for that question. She will know that the South Yorkshire constabulary is receiving an extra £5 million this year and that the Government have protected police funding since 2015. Indeed, police constabularies across the country will see up to £460 million more in funding with the help of police and crime commissioners. Serious violence has to be tackled as part of a national strategy, which is exactly what we have set out.

Mohammad Yasin: Bedfordshire police are under unprecedented pressure: violent crime is up; they face the third largest terrorist threat in the country; and they have had to support the visit of President Trump and deal with an increase in mental health cases. Can the Secretary of State explain how the police can keep the people of Bedford safe when they do not have the resources to attend 999 calls?

Victoria Atkins: I am sure that my right hon. Friend the Home Secretary would agree with me that the way in which Bedfordshire is kept safe is through the excellent work of its police officers and its Conservative police and crime commissioner, who has managed to increase officer numbers in her constabulary by 6.5% over the past year.

Sir Edward Davey (Kingston and Surbiton) (LD): Has the Minister read the evidence produced by the Home Office for the serious violence strategy, which shows that it is highly likely that police cuts have contributed to the rise in violent crime? If she has not, will she publish it?

Victoria Atkins: This rather demonstrates the difference between this Government and the right hon. Gentleman’s party. We are concerned with answering the question that the public ask us: how can we make our country safer? We have taken a cold, hard look at the rise in serious violence, and we have drawn together, from a range of parties, including the police, healthcare providers, schools and so on, the serious violence strategy, and it is through that strategy, with the help of those providers, that we will tackle this issue.
Louise Haigh (Sheffield, Heeley) (Lab): Today, the Daily Mail published the results of an exclusive survey, which showed that 57% of people say that police officers have surrendered control of our neighbourhoods and criminals have no fear of being caught; a quarter of people do not feel safe going out at night; and more than half of respondents who reported a crime did not have a police officer attend. Does the Minister accept that half of respondents who reported a crime did not have a police officer attend?

Victoria Atkins: I gently remind the hon. Lady that the Government have provided £460 million in additional funding for the police this year, which I understand she voted against. Again, we have to look at this as a strategy. The problem cannot be solved by police officers alone, vital though they are. Early intervention and tackling young people before they get dragged into criminality are key, and I hope that the Labour party will support the Offensive Weapons Bill, which gives the police the powers they need.

Air Weapons Review

10. Karin Smyth (Bristol South) (Lab): What is the timetable for the publication of his Department’s response to its air weapons review of October 2017?

Mr Hurd: I assure my right hon. Friend that we are looking at all our options on a spectrum. We have a set of regulations on the use of airguns, but we are considering how we can strengthen them in a proportionate way that gives greater protection particularly to children and, to answer my right hon. Friend’s point, animals, which are often the victims of those guns.

British Passport Fraud

14. Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): What steps is he taking to tackle the fraudulent use and sale of British passports?

Mr Hurd: I assure my right hon. Friend that we are looking at all our options on a spectrum. We have a set of regulations on the use of airguns, but we are considering how we can strengthen them in a proportionate way that gives greater protection particularly to children and, to answer my right hon. Friend’s point, animals, which are often the victims of those guns.

The Minister for Security and Economic Crime (Mr Ben Wallace): The Home Office shares reports of the loss or theft of UK passports via Interpol to prevent the illegal crossing of borders. We also work closely with partners here and overseas to share information and intelligence on that threat and the websites that purport to sell false and genuine documents for criminal purposes.

Stephen Doughty: There have been some very worrying reports in the past month that British passports have been stolen and sold for large sums of money in countries around Europe. How many passports have been stolen and subsequently suspended in the past year? Does the Minister agree that it is crucial to co-operate through Europol as well as Interpol to ensure that those stolen identity documents are not used?

Mr Wallace: In 2017, less than 1% of passports were reported stolen, but to tackle the threat and the abuse of stolen passports overseas, we have based immigration enforcement officials at international locations—embassies, high commissions and key transit points—to work not only with law enforcement to try to catch the people committing the fraud, but with airlines and border points so that they can spot a false passport looks like.

Douglas Ross (Moray) (Con): The Home Office has confirmed that it takes on average 73 days for people to report lost and stolen passports and that many countries do not regularly use Interpol’s stolen and lost travel documents database to check lost and stolen passports. What are the Government doing to encourage the true utilisation of both methods to stop the illegal trade of those documents?

Mr Wallace: My hon. Friend makes an important point, which is why in 2014 the Passport Office introduced an online tool for reporting. Since then, the number of passports lost has increased annually by 33%, so it is much easier to ensure they are reported and then picked up when being used.

Immigration Refusal and Deportation

15. Gordon Henderson (Sittingbourne and Sheppey) (Con): What is his Department’s target for the length of time between a person’s immigration application being refused and their being deported from the UK?

The Minister for Immigration (Caroline Nokes): There is no set time, as each case progresses on its own merits. Wherever possible, we afford people the opportunity to arrange a voluntary return to their country of origin. If
someone does not comply with our directions to leave the UK, we will pursue an enforced removal. Again, timescales will depend on individual circumstances.

Gordon Henderson: I am very grateful to my right hon. Friend for that response, but can she reassure me that the Department is balancing the need to tackle illegal immigration with the need to protect those who have migrated to Britain legally?

Caroline Nokes: My hon. Friend is of course absolutely right to point out how important it is that we distinguish between people who settle here legally and those who are here illegally. It is vital that the compliant environment protects vulnerable people and that appropriate safeguards are built into the measures. We remain committed to tackling illegal immigration and to encouraging compliance with our rules and laws.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): This weekend, we learned of an Ethiopian asylum seeker who was removed even before his application had been decided, requiring a court to order his return here. How did that happen, and is it not now time to hand asylum decisions over to an independent body?

Caroline Nokes: The hon. Gentleman is absolutely wrong in the final part of his question. It is important that UK Visas and Immigration continues to work to establish people’s right to be here on a fair and humane basis. The Home Office is absolutely committed to making sure that we consider each case on its own merits.

Windrush Compensation

16. Helen Hayes (Dulwich and West Norwood) (Lab): What steps he is taking to provide compensation to Windrush migrants. [906465]

The Secretary of State for the Home Department (Sajid Javid): I am committed to establishing a compensation scheme as quickly and as carefully as possible to help address what has gone wrong. The design of the scheme is naturally complex. I am therefore determined that we get it right and that we properly listen to those affected before taking final decisions on the design.

Helen Hayes: The Windrush scandal and the Government’s wider hostile environment policy have created an urgent need for independent advice for Windrush citizens seeking to confirm their status and access compensation. As there is no trust in the Home Office, the Black Cultural Archives in my constituency has for several months been running legal advice clinics for Windrush citizens, staffed by volunteer lawyers. They have seen hundreds of people and there remains unmet need. This essential work should not fall to volunteers. Does the Home Secretary recognise the need for independent advice from trusted organisations such as the Black Cultural Archives, and will he provide funding to enable independent advice to be available to everyone who needs it?

Sajid Javid: When I became Home Secretary, I said it was my first priority to help those affected by the Windrush situation. That is why one of the first things we did was properly staff the taskforce, and over 100 officials now work on it, ensuring that people are listened to and that applications are processed quickly. More than 2,000 applications have already been processed, most of them in a single day. Last week, we announced that some 584 applications for citizenship have been granted. I think we are dealing with this appropriately. I am always happy to listen to fresh ideas, but I think this is being taken very seriously by the Government.

Rebecca Pow (Taunton Deane) (Con): A couple of months ago, I raised the issue of Raj Unalkat who was thrown out of Uganda and came to live in Taunton Deane for 40 years. As with the Windrush cases, he was welcomed to the UK but then told that he was going to be thrown out because he had no passport. Great news: today we have heard that he has got his passport. Will the Secretary of State join me in thanking everyone who helped and in praising our fast-track system, which is absolutely working? Will he work with me to try to get compensation for the work days Raj has missed?

Mr Speaker: Far too long!

Sajid Javid: I happily join my hon. Friend in welcoming that outcome. Of course mistakes are sometimes made in an organisation as big as the Home Office, with tens of thousands of applications to deal with each year, but it is appropriate that when mistakes are made they are corrected.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Home Secretary’s letter to the Select Committee on hardship issues appears to suggest that members of the Windrush generation have been asked to sign non-disclosure agreements to get financial help before the full compensation scheme comes in. Will he confirm whether that is the case? If so, how many people have been asked to do so? Does he agree that it would be shocking if people who have been wronged by the Home Office are now being gagged by the Home Office to get the hardship support they need?

Sajid Javid: Let me be very clear that we are in the process of designing a compensation scheme. There has already been a call for evidence, and I will shortly be launching a consultation. Its design is going to be overseen independently by Martin Forde QC, and there will be no question with respect to the compensation scheme—no one will be asked to sign any kind of non-disclosure agreement or anything like that.

Asset Recovery Regime

17. Dr Caroline Johnson (Sleaford and North Hykeham) (Con): What steps the Government are taking to confiscate money from criminals; and how he plans further to strengthen the asset recovery regime. [906466]

The Minister for Security and Economic Crime (Mr Ben Wallace): We have recovered £1.6 billion under the Proceeds of Crime Act 2002 since 2010 and frozen many hundreds of millions more. The Government are also implementing the recommendations made in the Public Accounts Committee report of 2016. Our asset recovery action plan, to be published shortly, sets out how we will strengthen the regime by making the best use of new and existing powers, improving operational systems and ensuring that efforts are targeted effectively.
Dr Johnson: I thank my right hon. Friend for his answer. Lincolnshire police have been working hard to reduce hare coursing. The removal of dogs has been the most effective deterrent, but kennelling costs are now running to tens of thousands of pounds for Lincolnshire police. Will he look at what can be done to ensure that these costs, too, can be recovered from the criminal, rather than being borne by the taxpayer?

Mr Wallace: Under the Proceeds of Crime Act, police and prosecutors have the power to recover either profit or money accrued by those criminals from those processes. When they take that money, under ARIS—the asset recovery incentivisation scheme—50% of it or more will be released back to law enforcement prosecutors so that they can invest.

UK Visas and Immigration: Religious Literacy

18. Sir Edward Leigh (Gainsborough) (Con): What steps his Department is taking to improve religious literacy among UK Visas and Immigration staff. [906467]

The Minister for Immigration (Caroline Nokes): The UK Government value the role of faith in public life in the UK, and protecting religious freedom abroad is important, including in achieving the UK’s vision of a more secure and prosperous United Kingdom with its overseas partners. Within UK Visas and Immigration asylum casework, we continue to engage a range of faith groups to improve our policy guidance and training provided to decision makers, so that we approach claims involving religious persecution and conversion to a particular faith in the appropriate way.

Sir Edward Leigh: Will the Minister set up a specialised unit in the Home Office so that we can have some religious literacy on this matter? Nuns and priests seeking to come from Iraq have been asked why they do not have a bank account, with officials seemingly unaware that they have made vows of poverty. A sister from Qaraqosh in Iraq is a perfect example: seeking to visit her sick sister, she was asked why she had not visited her since 2011. Officials were seemingly unaware that ISIS had forced her to flee from her convent and to flee for her life. Please may we have more religious literacy from our officials?

Caroline Nokes: When it comes to visitor visas, it is of course important that each case is decided on its own merits, but my hon. Friend makes an excellent point. I am very happy to work with him, so that there can be better training for visa caseworkers so that they understand the specific points he makes about those from religious communities who may have taken a particular vow of poverty.

Helen Goodman (Bishop Auckland) (Lab): The Minister was here for Prayers, so I am sure she will be able to answer the question asked of one of my constituents, whom the Home Office initially wanted to send back to a country where he was persecuted: how many books are there in the Old Testament?

Caroline Nokes: I very much regret that despite a good convent education we studied only the New Testament, and I simply do not know.

Mr Speaker: It was very useful nevertheless to learn about the Minister’s educational journey, which she regales the House with in a candid spirit.

Topical Questions

The Secretary of State for the Home Department (Sajid Javid): On Thursday, I was lucky enough to be invited to the Police Bravery Awards. The top award of the night went to PC Keith Palmer who was fatally stabbed outside Parliament and to PC Charlie Guenigault who ran towards three terrorists who attacked the public at London Bridge. The awards were a reminder of the courage and dedication of our emergency services, which we have also seen most recently in Salisbury and Amesbury. Across the UK, police acts of bravery, both big and small, take place every single day. I am sure that the House will want to join me in taking this opportunity to say thank you to our police officers for their extraordinary bravery, hard work and sacrifice.

Stephen Timms: I join the Home Secretary in those tributes. I asked the Immigration Minister in the House last week to offer students whose visas were cancelled for allegedly cheating in TOEIC—test of english for international communication—English tests a new secure test to see whether they can resume their studies. Her reply was:

“It is, of course, an issue that we are considering very carefully.”—[Official Report, 12 July 2018; Vol. 644, c. 1121.]

Will she indicate to the House when she expects to reach a decision?

Sajid Javid: This is an important issue and I am glad that the right hon. Gentleman has raised it with the Immigration Minister. She is looking at it very carefully. She has asked for extra advice and expects to respond very shortly.

T2. [906476] Robert Courts (Witney) (Con): Declaring an interest as someone who used to prosecute for Oxfordshire trading standards, I know the immense distress caused to the elderly by rogue traders. Disturbing research suggests that up to 1 million people are on what are called “suckers lists” of people who are known to be vulnerable and are repeatedly visited. What are Ministers doing to ensure that banks and trading standards link up and can help those who are known to be vulnerable?

The Minister for Security and Economic Crime (Mr Ben Wallace): My hon. Friend asks an important question. We have set up the joint fraud taskforce, bringing trading standards and the private sector, including banks, on board, along with law enforcement agencies, to make sure we work together. For example, it has produced a banking protocol under which banks train till staff to spot vulnerable people being exploited. So far, that work has prevented £21 million from being taken out of bank accounts and led to 180 arrests.

Carolyn Harris (Swansea East) (Lab): Five months after the interim guidance on discretionary leave for victims of modern slavery, published in response to the
PK (Ghana) judgment, too many victims are still being left in limbo. Do we know how many victims have received temporary status or even know their status? When will the Government update their guidance and end this human Russian roulette?

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): The hon. Lady will know that the Government are looking to review and reform the Modern Slavery Act 2015, which is world leading, to ensure that its practices stay in track with the criminal gangs that support modern slavery. She will also know that we have announced substantial reforms to the national referral mechanism that I hope will address the points she has raised.

T3. [906477] Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): What preparations has the Department made for a Brexit on World Trade Organisation terms?

Sajid Javid: It has made significant preparations. We are looking at issues around security, borders and people. My right hon. Friend the Prime Minister was absolutely right to ask all Departments to step up preparations. It is the prudent thing to do—that is why we are doing it. We want to prepare for all outcomes. It is very important that we send a strong message to the European Union that, while we want a deal, we will not accept a bad deal.

T4. [906478] Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My constituent Duc Nguyen was a victim of human trafficking to the UK. Despite the Home Office recognising that fact, he was detained and sent to a detention centre at Heathrow. Luckily, he has now been released, but is it not against Home Office policy to detain victims of trafficking? If it is, will the Minister investigate this case to understand why it happened?

The Minister for Immigration (Caroline Nokes): The hon. Gentleman will be aware that when detention is considered every case must now go through a single detention gatekeeper, but I will undertake to look very closely at the case he raises. Our adults at risk policy, which Stephen Shaw recently reviewed, will be part of the response that the Home Secretary will bring forward before the recess.

T5. [906479] Chi Onwurah (Newcastle upon Tyne Central) (Lab): I have repeatedly raised with Ministers the shameful condition of the refugee accommodation provided in my constituency by Jomast. Now it is forcing vulnerable asylum seekers into shared rooms with people wholly unrelated to them—a victim of male trafficking forced to share with an older abusive man, for example. Will the Government take action to protect those who have suffered so much or give Newcastle City Council the ability to do so?

Caroline Nokes: I was very pleased to meet elected representatives and officials from Newcastle City Council last week, when we discussed dispersed asylum accommodation. The Home Office has worked closely with our providers to improve property standards over the lifetime of the current asylum accommodation contracts and ensure that they continue to provide accommodation that is safe, habitable, fit for purpose and adequately equipped. We will thoroughly investigate any reports of poor property standards.

T9. [906483] Andrew Selous (South West Bedfordshire) (Con): Last Wednesday, a lady had her handbag stolen in Dunstable late at night. Although the thief was apprehended by two doorkeepers from a nearby nightclub, no police were able to attend, so the thief got away. That is just one example of the impact of “damping” on the funding of Bedfordshire police, combined with the removal of a 24/7 first responder presence. Does the Minister agree that fresh thinking is needed on how areas such as central Bedfordshire are funded, so that they can regain the 24/7 first responder presence that they have lost?

The Minister for Policing and the Fire Service (Mr Nick Hurd): My hon. Friend and I have had many conversations, and I know how strongly he feels about the adequacy of policing in his constituency. He will be aware that a further £3 million has gone into Bedfordshire’s policing this year, so there is a conversation to be had about resources, but we need to ensure that the 2019-20 funding settlement and the next comprehensive spending review provide for our police forces—including Bedfordshire’s—to be properly resourced.

T7. [906481] Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Offshore wind projects such as Rampion, off the coast of my constituency, should provide an opportunity for good jobs in Britain, but the Home Office is continuing to provide immigration rule waivers to allow crews from outside the European economic area to work here. Why is the Home Office undermining good maritime jobs off our coast?

Caroline Nokes: Let me reassure the hon. Gentleman. The Home Office is not undermining good maritime jobs; it is working with all partners to ensure that as we leave the EU there are appropriate employment opportunities, which will be set out in the forthcoming immigration White Paper.

Kevin Foster (Torbay) (Con): I know that, in seeking to tackle terrorism, the Home Secretary will always ensure that the security services have the resources and powers that they need, but will he reassure me on one point? Does he agree that, in ensuring that there are no
safe spaces for those who wish to do us harm, we should consider tackling the incitement of terrorism in private as well as public settings?

Sajid Javid: I do agree with my hon. Friend. As he will know, the House is considering the Counter-Terrorism and Border Security Bill, which gives us a fresh opportunity to review the possibility of loopholes in earlier legislation.

Sajid Javid: My hon. Friend has raised an important issue—the need to ensure that we have seasonal agricultural labour—and I should be happy to meet her and other colleagues to discuss it further.

Sajid Javid: My hon. Friend for Moray (Douglas Ross) will lead a debate in Westminster Hall on labour shortages in the inshore fishing industry. Will my right hon. Friend consider reintroducing a concession in the current visa rules that would allow non-EEA fishermen to come to this country to work within the 12-mile limit and support the regeneration of our inshore fishing fleets?

Caroline Nokes: Not only will there be that debate tomorrow, but there was an Adjournment debate on the subject last week. I said then, and I repeat now, that we will work closely with the Migration Advisory Committee, whose report is due in September, to understand the specific needs of the fishing industry. I have also offered to meet representatives in Scotland this summer.

Chris Elmore (Ogmore) (Lab): Simon Chesterman of the National Police Chiefs Council has suggested that police officers in rural communities could be routinely armed to avoid the provision of funds for specialist armed response units. Will the Minister provide the funds that those units need, rather than eroding public trust by arming police officers?

Mr Hurd: The hon. Gentleman knows that the model of British policing has non-armed officers at its core, but where an operational need arises specialist armed officers should be available to be deployed. He will also know that we are investing £144 million of taxpayers’ money to upgrade that capability.

JAMES HEAPPY (Wells) (Con): Emergency services around the UK know how brave and expert our cave rescue services are in the way they support emergency services in this country. Does the Home Secretary share my admiration for two of my constituents who were involved in the Thai cave rescue, along with the other two British rescuers, who did such brilliant work to bring those 12 boys and their coach out alive last week?

Sajid Javid: I am very happy to join my hon. Friend in commending the courage and bravery shown by those cave rescuers in saving lives: Robert Harper, Chris Jewell, Jason Mallison and Tim Acton. This whole House commends them.

Liam Byrne (Birmingham, Hodge Hill) (Lab): Last week, a much loved grandmother, Riasat Bi, was murdered in her own home during a knife fight; she was 86. West Midlands police are doing everything they can to respond to the growing spiral of violence in east Birmingham, but they need help. The force is at its smallest size since 1974; it needs new investment and we need new investment in youth services. Will the Home Secretary listen to our experience in east Birmingham as he prepares his bid for the Budget later this year?

Sajid Javid: The right hon. Gentleman rightly raises an important issue, and it reminds the whole House how much more needs to be done to fight the rise in serious violence that we are seeing. Our serious violence strategy is dealing with much of that; it will take time as the issues are complex, but it is right that we work more closely with West Midlands police to see what more we can do.
NATO Summit

3.31 pm

The Prime Minister (Mrs Theresa May): With permission, Mr Speaker, I would like to make a statement on the NATO summit in Brussels last week.

Transatlantic unity has been fundamental to the protection and projection of our interests and values for generations. At a time when we are facing dangerous and unpredictable threats—from state and non-state actors and from the use of chemical weapons, terrorism and cyber-attack—NATO remains as vital to our collective security as it has ever been. So the focus of this summit was on strengthening the alliance, including through greater burden sharing, stepping up our collective efforts to meet the threats of today and enhancing NATO’s capability to meet the threats of tomorrow. The UK played an important role in securing progress on all three.

The UK is proud to have the second largest defence budget in NATO after the United States and the largest in Europe. We are increasing our defence spending in every year of this Parliament. We are meeting our NATO commitments to spend 2% of our GDP on defence, and 20% of that on equipment. We are investing heavily in modernising our armed forces, with plans to spend £180 billion on equipment and support over the next 10 years. This morning, I announced the publication of the UK’s combat air strategy, confirming our commitment to maintaining our world-class air power capabilities. This is backed by our future combat air system technology initiative, which will deliver over £2 billion of investment over 10 years and lay the groundwork for the Typhoon successor programme. We are deploying the full spectrum of our capabilities in support of the NATO alliance.

In the week in which we marked the centenary of our extraordinary Royal Air Force, I was proud to be able to announce at the summit the additional deployment of UK fighter jets to NATO air policing missions. We are also leading standing NATO maritime groups, contributing our nuclear deterrent to the security of Europe as a whole and continuing our commitment to NATO missions, including in Estonia where we lead NATO’s enhanced forward presence. But as the UK plays this leading role in the security of the whole continent, it is right that we work to even burden sharing across the alliance and that other allies step up and contribute more to our shared defence.

The summit included an additional session in response to the challenge posed by President Trump on exactly this point. Non-US allies are already doing more, with their spending increasing by $41 billion in 2017 alone, and by a total of $87 billion since the Wales defence investment pledge was adopted in 2014. These are the largest increases in non-US spending in a quarter of a century. Over the decade to 2024, we are expecting that spending will have increased by hundreds of billions, but NATO allies must go further in increasing their defence spending and capability. During the summit, leaders agreed that all were committed to fairer burden sharing and that they had a shared sense of urgency to do more. That is in all our interests.

Turning to specific threats, there was an extensive discussion on Russia. The appalling use of a nerve agent in Salisbury is another example of Russia’s growing disregard for the global norms and laws that keep us all safe and a further example of a well-established pattern of behaviour to undermine western democracies and damage our interests around the world. In recent years, we have seen Russia stepping up its arms sales to Iran, shielding the Syrian regime’s barbaric use of chemical weapons, launching cyber-attacks that have caused economic damage and spreading malicious and fake news stories on an industrial scale.

Our long-term objective remains a constructive relationship with Russia, so it is right that we keep engaging, both as individual nations and as a NATO alliance. I welcome the meeting between President Trump and President Putin in Helsinki today, but as I agreed with President Trump in our discussions last week, we must engage from a position of unity and strength. This means being clear and unwavering about where Russia needs to change its behaviour, and for as long as Russia persists in its efforts to undermine our interests and values, we must continue to deter and counter them. That is exactly what we will do. In that context, in a separate discussion during the summit, the alliance also reaffirmed our unwavering support for the sovereignty and territorial integrity of Georgia and Ukraine. We continue to support both Georgia and Ukraine in their aspirations for full membership of the alliance. The alliance also extended an invitation to the Government of Skopje to start accession talks following their historic agreement with Athens. This builds further on the progress made earlier in the week in London at the western Balkans summit, which took important steps to strengthen the stability and prosperity of the region.

For part of the summit, we were joined by President Ghani, who provided an update on the situation in Afghanistan. There are encouraging signs of progress towards a peace process, and allies were united in our strong support for his efforts, but the security situation remains challenging and is compounded further by Daesh fighters who have fled out of Iraq and Syria. So, as my right hon. Friend the Defence Secretary announced to the House last Wednesday, at this summit we increased our support for NATO’s mission Resolute Support with a further uplift of 440 UK troops for the UK-led Kabul security force. This will take our total troop commitment in Afghanistan to around 1,100.

Together with all allies, we also committed additional financial support for the sustainment of the Afghan national defence and security forces until 2024. As I discussed with President Trump at the summit, our commitment to Afghanistan began as NATO’s only use of article 5, acting in support of the United States following the attack on New York’s World Trade Centre. Our uplift will also enable the release of US personnel to conduct increased mentoring and counter-terrorism activity across Afghanistan. The summit also agreed to extend defence capacity building to Tunisia, Jordan and Iraq, and the UK’s contribution will play a vital role, particularly in increasing our support to the Iraqi Government in strengthening their security institutions and promoting stability for the longer term.

Facing today’s challenges is not enough. In the UK, our modernising defence programme will ensure that our capabilities remain pertinent in confronting the threats of tomorrow as they are in keeping us safe today. NATO too must adapt to meet these challenges. This means delivering the reforms agreed at the Wales and
Warsaw summits politically, militarily and institutionally. At this summit, allies agreed a stronger NATO command structure, including two new headquarters, and the UK is committing more than 100 new posts to that structure, taking our commitment to more than 1,000 UK service personnel. We also agreed to improve the readiness of our forces through NATO’s readiness initiative known as the “Four Thirties”. This is a commitment to have, by 2020, 30 mechanised battalions, 30 air squadrons and 30 combat vessels, all ready to use within 30 days. The UK will play its full part in delivering this.

We also agreed further work to help to counter cyber and hybrid threats by enhancing the capabilities of the alliance to respond quickly and effectively to these new challenges. This includes a new cyber-operations centre and new support teams that will be able to assist allies who want help, either in preparing to respond, or responding, to an attack. Again the UK is at the forefront of these efforts. For example, we were the first country to offer our national offensive cyber-capabilities to the alliance, and we have also committed to host the NATO cyber-defence pledge conference in 2019.

As I have said many times, the UK is unconditionally committed to maintaining Europe’s security. That is why I have proposed a bold new security partnership between the UK and the EU for after we leave. But in a world where the threats to Europe’s security often emanate from beyond its borders and where we face an array of profound challenges to the entire rules-based international order, the strength and endurance of our transatlantic alliance is vital in protecting our shared security and projecting our shared values. That is why a strong, united and modern NATO remains the cornerstone of our security, and why our commitment to it is ironclad. As we have done across generations, we will stand shoulder to shoulder with our closest allies to defend the rules-based order and the liberal values of democracy, human rights and justice that define our way of life. I commend this statement to the House.

3.40 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for an advance copy of the statement.

At the heart of any military alliance is the aim that rogue players cannot derail established Governments. I wonder whether the Prime Minister has reflected on that as she deals with the present threat from the hon. Member for North East Somerset (Mr Rees-Mogg).

Protecting the British people will always be our first priority. From climate change chaos, cyber-attacks and acts of terrorism to perpetual conflicts in the most fragile parts of the world, it is the Government’s duty to ensure that their approach addresses the drivers of those security challenges. As one of the richest countries in the world and a member of NATO and of the UN Security Council, we have a real responsibility to ensure that our policy provides real security for our country and does not fuel insecurity beyond our borders. Last week’s NATO summit was an opportunity for the alliance to reset its approach to some of those challenges.

Once again, however, another global gathering has been dominated by the erratic statements of President Trump. Did the US President ask the Prime Minister and other NATO leaders to double defence spending to 4%? Did the President outline how threats to our security had doubled over the course of the past week? Are the Government seriously considering that increase? In 2014, NATO countries agreed to meet the 2% target by 2024. Does that remain the case? Labour is committed to spend the agreed target of 2%. Furthermore, does she agree with President Trump that Germany is “a captive of Russia”? Under no circumstances can our policies be outsourced to the whims of Washington. Of course, we all await the outcome of the Helsinki meeting between Presidents Trump and Putin. Will the Prime Minister condemn President Trump’s intervention on his preferred choice as her successor as Prime Minister of this country?

NATO states that seek to destabilise and undermine democracy and national independence, whoever they are—including, but not only Russia—must be held fully accountable under international law and collective engagement. In addition, the use of chemical weapons as a form of war, whether on the streets of Salisbury or in the cities of Syria, is deplorable and must not be tolerated. NATO chief Jens Stoltenberg was right to say recently that NATO’s dialogue with Russia is not easy and that the more difficult Russia is, the more we need dialogue. However, democratic regression among NATO Governments makes that approach more difficult.

NATO prides itself as being the guarantor of freedom and security in the world, so it must be held to a higher standard. The rise in authoritarianism and the suppression of basic human rights in many countries should be of great concern. The Brussels declaration highlighted how arms control should continue to make an essential contribution to achieving the Alliance’s security objectives.

so what steps is the Prime Minister taking to drive forward the effort on that? Does she agree that UK arms sales to countries with poor human rights records undermines their citizens’ freedom and security, and will she therefore finally suspend arms sales to Saudi Arabia while bombs rain down on the people of Yemen?

On Europe, it is vital that Parliament fully understands what the Government are proposing for their future defence partnership with the EU after Brexit. However, on yet another fundamental issue, the Government’s White Paper is lacking. There is no substance on UK-EU co-operation over diplomatic collaboration, intelligence sharing, or defence and security policy. While the aspiration to strengthen ties with the EU and NATO on issues of cyber-security is welcome, the White Paper offers little clarity on how that might be delivered. Does the Prime Minister accept that her chaotic approach to the Brexit negotiations risks future security and defence co-operation with the European Union?

The “bomb first, talk later” approach to security has clearly failed, leaving a trail of destruction abroad and leaving us less safe at home. NATO talks of wanting to work more closely with the United Nations, but that means treating the United Nations with respect and ending double standards. In Libya, Sudan and South Sudan, this Government are the responsible penholder on the UN Security Council, yet they have failed to deliver long-term political settlements. Hopefully, the new Foreign Secretary will succeed where his predecessor failed, or did not make sufficient effort to succeed.

The Government have deployed additional troops in Afghanistan to support the Government in Kabul. Can the Prime Minister be clear that those troops are there in a training capacity only and that there will be no mission creep?
Our security is collective—it cannot be achieved at the expense of others. Aggressive military intervention, destabilising democratic institutions, tearing up hard-won international agreements and disregarding human rights and international law are a new threat. Governments on that track must change course. Labour in government will deepen our commitment to UN peacekeeping and will work with allies who strive for peace, diplomacy and real security for all people. That is how we will deliver real security in a changing world.

The Prime Minister: The right hon. Gentleman raises a number of issues. He talks about President Trump’s intervention at the NATO summit, and President Trump has made a difference. We share the President’s view that we want to see allies all stepping up to meet the commitment they gave at the summit here in Wales in 2014 to spend 2% of their GDP on defence and to spend 20% of that on equipment. That is something we meet, as do a limited number of other NATO members, obviously including the United States of America.

President Trump’s making this point about burden sharing has made a difference. As I said in my statement, in just the last year we have seen an extra $41 billion added to defence budgets across the NATO allies. There was a real sense at this summit, following the discussion that he initiated, that we will see not just people stepping up to meet their 2% target, but an increased urgency in doing so.

The right hon. Gentleman asks about Germany and its relationship with Russia. Can I just say to him that Germany was one of the many countries in Europe and across the rest of the world that stood shoulder to shoulder with the United Kingdom after the attack in Salisbury? Germany did expel Russian intelligence officers and took a very firm view in relation to Russia.

The right hon. Gentleman talks about arms exports. Of course, as he knows, we have one of the strongest arms export regimes in the world, and all decisions are taken very carefully against that background. He talks about our future relationship with the European Union. We will have a fully independent defence and foreign policy, but we will work with our European Union allies where it is right to do so, just as we will continue to work within NATO.

The right hon. Gentleman talks about how we ensure that we have security around the world. Well, NATO has been the backbone of Europe’s security for the years in which it has been in place. We continue to support NATO, and it sounds as if he has changed his mind about NATO, because it was not that long ago that he said about NATO, “I’d rather we weren’t in it,” and, “Why don’t we turn it around and close down NATO?” Well, we are not going to close down NATO. The United Kingdom will continue to contribute to NATO as the backbone of European security and wider security around the world.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I congratulate my right hon. Friend the Prime Minister on what I think was for her a successful NATO summit. May I return her to the point of the Germans and the issue of energy? Exactly what discussions and conversations have taken place with the Germans concerning the Nord Stream 2 pipeline? If Germany insists on going ahead unilaterally with this pipeline, it will have the strategic effect of diminishing the likelihood of Ukraine and others being able to support themselves.

The Prime Minister: My right hon. Friend has, of course, raised an important issue. This subject has been discussed on a number of occasions around the European Council table and it will continue to be discussed around that table. Obviously, we recognise the concerns that have been raised in relation to Nord Stream 2 and, in particular, in relation to the impact it would have on Ukraine. We will continue to talk, not only with Germany, but with other European allies, about this issue, and we will contribute to that discussion around the European Council table. There is a growing recognition that this issue needs to be addressed and a growing recognition of the concerns that have been raised.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for advance sight of her statement. I thank the thousands of Scots who protested in peace over the weekend and of course the officers of Police Scotland, who did such an excellent job, working around the clock.

Last week, we witnessed extraordinary scenes at the NATO summit. The President of the United States flew to Brussels to lecture the NATO allies on their commitments to defence: These were embarrassing, shambolic scenes from a US President who takes a childish approach to foreign and security policy, rather than working with allies to tackle common security threats. What is more embarrassing is that, after this treatment, we witnessed the Prime Minister roll out the carpet to the President as he visited the UK. This is a President who went on to publicly criticise the Prime Minister’s Brexit plans after advising the Prime Minister to sue the European Union— you really could not make it up. Can the Prime Minister tell the House whether she intends to use the President’s advice and does his advice not give her a real sense of reality of just how shambolic any trade deal with the US Trump Administration would be? I would advise the Prime Minister that, instead of seeking advice on Brexit from the President of the United States, she should seek it directly from the devolved Governments, who are directly affected by her Brexit chaos.

We are of course today witnessing historic scenes as the US and Russian Presidents meet in Helsinki. There are high stakes in this summit; China, nuclear weapons, Syria, Ukraine and US election hacking are all set to be discussed. I thank the Prime Minister for the remarks she made about Ukraine, as we should all make sure we stand up for the independence of that nation. Can the Prime Minister tell the House what discussions she had with President Trump on operations in Syria at the NATO summit last week?

The Prime Minister: First, let me say to the right hon. Gentleman that we continue to support Ukraine. As I said in my statement, we continue to support the sovereignty and territorial integrity of Ukraine and Georgia. Obviously, we are supporting the Government of Ukraine in a number of ways, but we also recognise that there needs to be reform in Ukraine.

We want to see the Minsk agreements fully put in place. Obviously, the failure of that is why we have been supporting, within the European Union, the continued imposition of the sanctions that were introduced in response to the action that Russia took in Crimea.
The right hon. Gentleman talked about President Trump and his approach to the NATO summit. As I said, President Trump has made a difference; he has focused the eyes of those around the table on the question of the 2% commitment. As I said in my statement and have just repeated, $41 billion of extra investment in defence has been seen across the allies just over the last year. In fact, the United States itself has increased its defence input into Europe over the last year or so—in capability terms and also in financial terms.

The right hon. Gentleman talks about the importance of working with devolved Governments. We continue to work with the devolved Governments on a whole range of issues, including the European issue that he referred to. I would hope that the Government in Scotland would be willing to work with us on these issues, because we will deliver something that is in the interests of the whole United Kingdom.

Several hon. Members rose—

Mr Speaker: Order. There is considerable interest, which is to be anticipated, but I make two points to the House. First, there is a statement to follow, in which there may well be considerable interest. Secondly, we have a substantial debate on the remaining stages of the Taxation (Cross-border Trade) Bill, necessitating brevity in this session, from Buck Bunchers and Front Bunchers alike, and the non-participation of people who arrived after the Prime Minister had delivered her statement.

Sir Michael Fallon (Sevenoaks) (Con): Although the opening of accession talks with the Government in Skopje is to be welcomed, will the Prime Minister also confirm that, irrespective of Russia’s views, future membership of the alliance is open to any other country that meets the membership criteria, including other countries in the western Balkans?

The Prime Minister: Yes, I am happy to give my right hon. Friend that confirmation. Indeed, we look forward to seeing others aspire to membership of the NATO alliance. It is important that they meet the criteria for membership. At the NATO summit, Montenegro was of course sitting around the table, having already become a member of the NATO alliance, and we were pleased to extend that invitation to Skopje. Other countries could follow, provided that they meet the criteria.

Hilary Benn (Leeds Central) (Lab): The Prime Minister rightly said in her statement that the United Kingdom is “unconditionally committed” to Europe’s security, but over the weekend President Trump described the European Union as a “foe” and the German Foreign Minister Heiko Maas said that Europe can no longer completely rely on the White House. Does the Prime Minister share that assessment and, if not, why not?

The Prime Minister: When everybody left the NATO summit that took place last week, what was felt was not only that people had stepped up and recognised the importance of burden sharing, but that there was indeed a unity around that table on the importance of us all working together in the future of Europe’s security. As I reminded President Trump, the one time that NATO has used article 5 has been in response to an attack on the United States.

Mr John Whittingdale (Maldon) (Con): I welcome my right hon. Friend’s support for Ukraine and the recognition of the potential threat of Nord Stream 2. Will she confirm that there is absolutely no question of any NATO member country recognising the illegal annexation of the Crimean peninsula by the Russian Federation?

The Prime Minister: We are very clear—as was, I think, everybody around that table—that an illegal annexation took place. Significant support was shown for Ukraine around that table. There are of course requirements on Ukraine and Georgia for their potential future membership of NATO, but we look forward to working with them to help them to meet those requirements.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I have often supported the Prime Minister on security and countering terrorism, because extremists must never divide us, but one of our NATO allies, President Trump, chose to single out London’s Mayor, who is Muslim, and attack him on terrorism. I know that the Prime Minister will not agree with President Trump and will understand what a vile and false attack that was, but has she said so to President Trump? Has she challenged him on it? We cannot pander when our democratic values are under attack.

The Prime Minister: I have made it clear to President Trump on a number of occasions that some of the views that he expresses about the United Kingdom on these issues are not shared by this Government. There are issues on which I disagree with the Mayor of London—for example, I want to see him building more homes in London than he is doing—but on the issue of fighting terrorism, the Mayor of London and this Government work together, as we did last year following what happened here in Westminster and at London Bridge and Finsbury Park. It is an issue on which we unite, because we all recognise the importance of ensuring that the terrorists can never divide us.

Sir Nicholas Soames (Mid Sussex) (Con): Given President Putin’s long-term goals of destabilising the European Union, seeking to restore Russian influence in eastern Europe and undermining NATO, is it not important—and was it not discussed at length during the NATO summit—that NATO’s strategic concepts continue to advance at pace, and that the British Government should therefore wholeheartedly support the 30-30-30 proposal, generated by our great friend General Mattis?

The Prime Minister: I can certainly give my right hon. Friend the assurance that we do support the four-30s approach that has been adopted by NATO. We will ensure that we are able to contribute to it as appropriate. He is also right that, as NATO looks at the threats that we face, it needs to modernise and reform itself and consider the capabilities that it needs for the future.

Christine Jardine (Edinburgh West) (LD): NATO has been the bedrock of our security since the second world war and a vital commitment to collective security, but at times during the summer President Trump’s behaviour was disruptive and undermining. Can the Prime Minister assure this House that she took action to impress on him that that is not acceptable in those circumstances?
The Prime Minister: What I have impressed on President Trump on a number of occasions now, starting with the very first visit that I made to the United States following his inauguration, was the importance of NATO and the importance of that transatlantic unity. That was a message that came through loud and clear at the summit.

Sir Hugo Swire (East Devon) (Con): We welcome the Prime Minister’s recommitment to the principle of NATO being the cornerstone of Europe’s defence policy, and she is absolutely right to talk about a close relationship with our current EU partners post Brexit, but will she exclude dedicating any Ministry of Defence resources or British taxpayers’ money to advancing the cause of a European army?

The Prime Minister: I think my right hon. Friend knows full well the views that the UK Government have taken for some time now on the concept of an EU army—a European army. There have been developments around the European Union table, and there continue to be, in the defence field. We have been very clear that those must be complementary to NATO, and that is a view that is accepted.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Prime Minister agree that peace and prosperity since the last world war have been secured by the United Nations, by NATO and by the European Union? Does she agree that she now has a real opportunity to be the real leader, reminding all our European allies that she has this responsibility?

The Prime Minister: The hon. Gentleman is right that we have a number of multinational organisations. As I said in my response to earlier questions, NATO has been the bedrock of European security. The unity of NATO and that continued transatlantic unity is important not just for Europe, but for the United States and the wider world, and we will continue to champion it.

Dr Julian Lewis (New Forest East) (Con): Does the Prime Minister agree that any idea that Europe could defend itself conventionally against an aggressive Russia is a dangerous fantasy if the United States is not involved?

The Prime Minister: The United States obviously plays a very important role within the NATO alliance, but may I also remark—my right hon. Friend made the comment about defending conventionally against attacks from Russia—that, as we look at NATO for the future, we need to look not just at the conventional capabilities and the conventional threats. That is why I am proud that the United Kingdom was the first to put its offensive cyber-capability to the benefit of the alliance.

Rachel Reeves (Leeds West) (Lab): What assurances did President Trump give the Prime Minister that he would raise with President Putin the poisoning of the Skripals and the murder of Dawn Sturgess on British soil? It is unacceptable that Russia has put lives at risk, with poisonous substances being left to kill innocent people on the streets of our country. If President Trump is our ally, he will raise this. Will he?

The Prime Minister: The hon. Lady is absolutely right in the way that she describes the attack that took place in Salisbury and the use of a nerve agent on the streets of the United Kingdom. We know that an individual has died as a result of contact with Novichok. I did raise the severity of this issue with President Trump. The United States reacted alongside us after that attack. It expelled more Russian intelligence officers and more Russian diplomats than any other country. I raised this among other issues that I would expect President Trump to raise with President Putin.

Sir Desmond Swayne (New Forest West) (Con): Two per cent. must not be the measure. Rather, it should be the capability to deliver lethal effect, shouldn’t it?

The Prime Minister: My right hon. Friend makes an important point, which is that, while focus is often on the numerical figure for spending, capability is important as well. That is, of course, where the United Kingdom scores not just in terms of the spending that we make, but in ensuring that we have the capability necessary and that that is available.

Jim Shannon (Strangford) (DUP): I thank the Prime Minister for her statements so far. Was she successful in her attempts to secure additional funding for defence from other NATO countries—some of which consistently underfund their contributions to NATO—considering the war against terror that we, as NATO members, are supposedly fighting together?

The Prime Minister: Countries that do not meet the 2% target at the moment are stepping up and increasing their spending. They went away with a very real sense that this is not just a long-term plan, but that there is an urgency in them doing this.

Richard Benyon (Newbury) (Con): Next year, more than 600 parliamentarians from across the NATO alliance will visit London. Does my right hon. Friend agree that this is a very important opportunity for Britain to show that we are absolutely a global nation and that our commitment to the alliance moving forward is absolutely at the heart of what we believe?

The Prime Minister: My right hon. Friend makes a good and important point. He is absolutely right that this is an opportunity for us to show global Britain and to show our absolute commitment to NATO for the future.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Our NATO obligations are entwined with our other collective security arrangements. The Prime Minister has previously said:

“Thanks to the arrest warrant, more than 2,500 people wanted for crimes abroad are no longer roaming the streets of Britain... These include serious international criminals like murderers, paedophiles, human traffickers and terrorists.”

Can she tell us how she intends to defend us from these undesirables, as the White Paper does not commit to keeping us in the European arrest warrant system post Brexit?

Mr Speaker: Not altogether adjacent to the NATO summit.

Dr Huq: In parallel.
Mr Speaker: “Parallel” says the hon. Lady optimistically from a sedentary position. We look to what might be called the geometrical dexterity of the Prime Minister to cope with the situation.

The Prime Minister: Although we did not discuss at the NATO summit the precise point that the hon. Lady raised, we did of course discuss our collective security. The hon. Lady can rest assured that in all our considerations on these matters we will be ensuring that we have the powers and tools necessary for our security.

Mr Philip Hollobone (Kettering) (Con): NATO seems to enjoy spending large amounts of money on new headquarters. Its swanky new main HQs were opened last year, and I think that the Prime Minister announced that two further HQs will be opened. How can we persuade our NATO allies to spend less on HQs, and more on frontline troops and offensive cyber-capability?

The Prime Minister: Although I used the term headquarters, the point is that these are about personnel who will be situated and who will be able to ensure that the capabilities are where they need to be in relation to NATO. For example, they are looking at possibilities around various parts of Europe to do this, but this is not just about a building; it is crucially about NATO’s capabilities and ensuring that it has the capabilities in the right place.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): We face not only chemical and cyber-attacks from Russia, but constant attempts to undermine our democratic and political processes. In the midst of last week, 12 Russian agents were indicted by the US Department of Justice for attempting to influence the US election. Can the Prime Minister say whether these matters were discussed at the NATO summit? Did she discuss them with President Trump or does she believe—like he said—that it was all part of a “rigged witch hunt” against Russia?

The Prime Minister: We have made very clear our concern at the way in which Russia has been seen in a number of countries to attempt to undermine the democratic processes in those countries. This matter was discussed not in specificity, but in the generality of the question of Russia’s interference and the malign state activity that is undertaken by Russia.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I welcome the NATO-Georgia commission declaration, which was made following the summit, about the ongoing dialogue with Georgia. As Georgia has reaffirmed its determination to achieve NATO membership, does the Prime Minister know whether any progress was made on timetabling the delivery of the membership action plan to Georgia?

The Prime Minister: We did discuss the potential accession of Georgia. The President of Georgia was there and was able to update us on the moves that Georgia has been making. The issue raised by my right hon. Friend will be an important part of the process. I am happy to write to her on the specific issue that she raised regarding the date.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Trump looks more comfortable straddling the world stage next to Putin than he did beside the Prime Minister. How can she justify sabotaging our secure economic relationship with our friends in the EU and craving favours of a man who prides himself on shredding the rules-based order?

The Prime Minister: That is not a question that can be answered, for the precise reason that the basis of the question is entirely wrong.

Richard Drax (South Dorset) (Con): With a looming and large predicted overspend on our defence budget, can my right hon. Friend assure me, the House and the country that she will maintain the NATO 2%—ideally 2.5%—which, as I understand it, will pay for the ongoing programme as laid out?

The Prime Minister: We are committed to maintaining the 2% of GDP spend on defence. Not just that, but we are one of the few countries that does the double-header, if you like, because the Wales summit committed not just to the 2% of GDP spend on defence but to 20% of that spending being on equipment, and we will continue to maintain that.

Mr Pat McFadden (Wolverhampton South East) (Lab): The post-war Labour Government played a pivotal role in the foundation of NATO because their Ministers understood the value and importance of collective security. As the Prime Minister said in her statement, article 5—its collective defence clause—has only ever been invoked once, in defence of the United States. Is she confident that the President of the United States is fully committed to article 5?

The Prime Minister: As I said earlier, what we had coming out of NATO was an absolute commitment to the unity and the collective action that is required in NATO. That was the unity around the table at the NATO summit, and it included President Trump and all the allies around the table.

Michelle Donelan (Chippenham) (Con): Does my right hon. Friend agree that it is only right that we not only meet our NATO target but increase it in real terms and that it is about time that all NATO members committed to the 2% target?

The Prime Minister: My hon. Friend asks about all NATO members committing to the 2% target. Of course, they have committed to reach the 2% target—the challenge is making sure that they actually get there. As I said earlier, there was a very real sense around the table that there is a growing urgency in meeting the 2% target. Obviously, NATO will be working, as we will be working with it, to encourage others to do just that and to ensure that they do so.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): Is it not clear from President Trump’s interview with The Sun newspaper in the margins of the NATO summit that he envisages a trade deal with the UK only if we sacrifice our European alliances? May I urge the Prime Minister not to pander to President Trump’s view, or to the Trumpian view of the hard-Brexiteer European Research Group, which she always seems happy to roll over for whenever it makes any demands of her?
The Prime Minister: We are looking to do a trade deal with the United States of America. We will discuss that trade deal with the United States of America. We recognise that there are certain issues that will have to be addressed within that trade deal. Issues around agricultural products have been raised in this House before. There are issues about the single standards model as well. I am happy to sit down and listen to and hear concerns from my colleagues. We did that on the European Union (Withdrawal) Bill and we continue to do it on other Bills.

Dr Andrew Murray (South West Wiltshire) (Con): What was my right hon. Friend’s reaction to the bold new security partnership with the European Union to which she referred and to the possible cessation of the UK’s leadership of EU initiatives such as elements of the European Defence Agency, the battlegroups and Operation Atalanta?

The Prime Minister: We have so far had a constructive response to the proposals that we have put forward. Obviously, the specific sorts of operations and commitments that my hon. Friend mentions will need to be considered in the future as we look to see those areas where it does make sense for us to continue to be co-operating, and sometimes co-operating in a leading role.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Following my husband’s service in the armed forces, I had the real privilege of visiting our RAF forces based with NATO in Romania this year. We heard at the time that cyber-security is absolutely crucial and key, so will the Prime Minister ensure that this is given adequate priority moving forward?

The Prime Minister: I am very happy to give that commitment to the hon. Lady. The President of Romania actually said to me during the summit how pleased they were with the work that the Royal Air Force has been doing there. We do recognise the importance of cyber-capabilities, and that will be a clear focus for the future.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The Prime Minister needs to be far more robust on the issue of the Nord Stream 2 pipeline, which is a genuine threat to our key NATO partners in eastern and central Europe. Is she willing to impose sanctions on companies involved in this project?

The Prime Minister: I made a response earlier in relation to Nord Stream 2. There are, yes, considerable discussions that have to take place around the European Council table on this issue. A number of members of the European Union have concerns about this. It is a subject on which I think there will be those further discussions and appropriate action will be taken.

Ms Angela Eagle (Wallasey) (Lab): The American President seems to prefer unilateral action to multilateral action. He seems to want to be protectionist and inward-looking—to put America first, as he says—rather than to engage multilaterally. What implications does the Prime Minister think that approach has for the NATO alliance?

The Prime Minister: We sat around the table at NATO and, as I said, President Trump challenged those allies that are not meeting their 2% commitment. We agreed—we have been raising that issue, and we continued to do so at the summit. Around the table, there was unity and recognition of the importance of transatlantic unity and of working through the NATO alliance.

Stephen Kerr (Stirling) (Con): Does my right hon. Friend agree that we should work with our allies in NATO to combat fake news and disinformation, especially after the incident in Salisbury?

The Prime Minister: That is very important. As I indicated in response to an Opposition Member, the whole question of attempts to interfere in democracy and of misinformation and propaganda was one of the elements we discussed at the summit, and it is one that we will ensure effort is put into.

Chris Bryant (Rhondda) (Lab): The trouble is that Russian aggression continues unabated. Only last week, the Greek Government found that four Russian diplomats had been bribing officials in Greece to try to foment opposition to the deal with Macedonia—or North Macedonia. We wholeheartedly support that deal going forward. Do we not absolutely have to stand shoulder to shoulder with the Greek Government and consider further measures against the Russians—and for that matter, should we not stand alongside the Danish Government over Nord Stream 2?

The Prime Minister: I did indeed commend the Greek Prime Minister on the action that Greece has taken. As the hon. Gentleman says, we are very clear that we think an historic agreement has been reached between the Governments in Skopje and Athens. Obviously, processes need to be gone through in both countries. We hope those have a successful conclusion.

Maggie Throup (Erewash) (Con): The UK is acknowledged to be at the forefront of defence modernisation. Is my right hon. Friend confident that other NATO members are ready to modernise, too?

The Prime Minister: We are certainly putting significant effort into modernisation, in recognising the need for new capabilities and the modernisation of NATO. I think it is fair to say that we are one of the countries at the forefront of that modernisation, but we are ensuring that other allies around the table recognise its importance and come along with it, too.

Stephen Kinnock (Aberavon) (Lab): The Prime Minister rightly said that NATO and the EU are the dual cornerstones of our security. Why, then, does she keep dancing to the tune of the European Research Group? Does she see that by capitulating to its proposals on the customs and trade Bills, she is accepting that the Chequers deal is dead in the water?

The Prime Minister: The hon. Gentleman is absolutely wrong in his reference to the agreement that was reached at Chequers. I would not have gone through all the work I did to ensure we reached that agreement only to see it changed in some way through these Bills. They do not change the Chequers agreement, and the Minister will make that clear from the Dispatch Box later today.
Mr Speaker: I do not wish to be unkind to the hon. Member for Aberavon (Stephen Kinnock), but I think he is geographically more challenged than his hon. Friend the Member for Ealing Central and Acton (Dr Huq), who is sitting next to him.

Kevin Foster (Torbay) (Con): The most visible sign of our commitment to NATO's eastern partners is the deployment of our troops in the Baltic states. Were the Baltic states reassured at the summit that the United Kingdom and all other NATO countries view an attack on one as an attack on all?

The Prime Minister: I think the Baltic states have taken considerable reassurance from the approach of the allies around the NATO table. Obviously, we are very pleased to be playing a leading role in the enhanced forward presence in Estonia, which is an important commitment that we have going into the future. I know that not just the Estonians but the Lithuanians and the Latvians are very clear about the support that NATO is showing them.

Stewart Malcolm McDonald (Glasgow South) (SNP): Respecting Ukraine's territorial integrity is about more than Crimea; we cannot forget about the illegally occupied east of Ukraine. Can the Prime Minister tell me what the support she talks of actually looks like and how it materialises on the ground in Ukraine? Exactly what is the support she talks of actually looking like and how it materialises on the ground in Ukraine? How is thinking there, as well as supporting their capability to deal with the Ukrainian Government in a number of ways, one of the EU after we have left the EU? How can we have a security partnership with NATO in policies in the world. Can the Prime Minister explain how we can have a partnership that enables us to maintain operational capability. Of course, the bedrock of European operational capability. Of course, the bedrock of European security is NATO. We are a leading country within NATO, and we will continue to be so.

Emma Reynolds (Wolverhampton North East) (Lab): On the margins of the NATO summit, what did the Prime Minister say to Donald Trump when he advised her to sue the European Union?

The Prime Minister: First, that comment was not actually made at the NATO summit. Secondly, the hon. Lady might have seen that we have not sued the European Union; what we are doing is going into negotiations.

James Heappey (Wells) (Con): The Prime Minister has spoken about the impressive advances in cyber-capability being made across the alliance. How is thinking developing over how the principles of collective security enshrined in article 5 would be applied in the event of a cyber-attack, because I know that work on that has been ongoing within NATO for some time?

The Prime Minister: My hon. Friend is absolutely right to raise this issue. It is fair to say that we have been pressing for reform of NATO for some time, as has the United States, recognising these issues. NATO does recognise the issue and it is still working on that question. It is important that we have made our offensive cyber-capabilities available to the alliance. One or two other countries are now doing that as well, and I look forward to seeing others do the same.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): The Brussels declaration highlighted how arms control should “continue to make an essential contribution to achieving the Alliance's security objectives”. Can the Prime Minister confirm what steps the Government are taking on that, particularly with regard to small arms, which can be so devastating?

The Prime Minister: We have one of the most robust and rigorous arms export regimes in the world. The hon. Gentleman mentions small arms, and some work on that is being led by the French. It is something that we have looked at previously, to try to ensure that firearms are not transported for criminal purposes, particularly across Europe. We continue to work on that.

Rebecca Pow (Taunton Deane) (Con): I am very pleased to hear that the Prime Minister has agreed that we will be improving the readiness of our forces through the NATO readiness initiative. Does she agree that the Royal Marines, such as 40 Commando in my constituency, exemplify the essential expertise and modern approach that we can offer?

The Prime Minister: I am very happy to commend the Royal Marines based in my hon. Friend’s constituency. They do indeed provide that great example of readiness, as do other armed forces here in the United Kingdom, and I am pleased that we are able to contribute to the NATO readiness initiative.

Alison McGovern (Wirral South) (Lab): About these issues, the Prime Minister has said that “we must engage from a position of unity and strength.” Who does she think has done most to put that unity at risk: Donald Trump, who calls our friends foes, or the hard Brexiteers who have now left her Cabinet? Who, when it comes to British diplomacy, has taken incompetence to new heights?

The Prime Minister: Around the NATO table we are all working together to ensure the security of Europe, and indeed the wider security, because the security of Europe has an impact beyond its borders. Indeed, NATO is working beyond the borders of Europe, as we see with the Resolute Support mission in Afghanistan. I am pleased that, as we recently announced, we are not only continuing to contribute to that mission, but enhancing our contribution.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): My right hon. Friend rightly said today that we face a profound challenge to the entire rules-based
international order. Does she agree that, in deploying troops to the Baltic to support our allies there and in Scandinavia, we are defending that rules-based order and not, in the words of the Leader of the Opposition, simply escalating tensions?

The Prime Minister: I absolutely agree. It is important that we show that commitment to the Baltic states and that we also show that commitment with, for example, the Joint Expeditionary Force that we have recently established with some of the Nordic countries. Those are important symbols of our defence of the values that we share in Europe.

Sammy Wilson (East Antrim) (DUP): Does the Prime Minister accept that without the tough words from President Trump before and during the NATO summit, many of those who have been freeloaders on the US and the UK would not have made the 2% commitment to defence spending? More importantly, what monitoring will there be to ensure that they honour those promises?

The Prime Minister: Of course, they made the commitment in Wales. The question is meeting it, and I think that the President’s intervention has made a difference and that NATO itself will ensure that it monitors that commitment and looks at the timetables to which those allies will work to meet it.

David Linden (Glasgow East) (SNP): Does the Prime Minister support Nord Stream 2?

The Prime Minister: As I have said, we recognise that there are real concerns about Nord Stream 2. There are concerns about its impact on Ukraine, and we will discuss the matter further with our allies.

Peter Kyle (Hove) (Lab): The fact remains that President Trump is a NATO-sceptic who really responds only to individual strongmen around the world. Does the Prime Minister agree that NATO’s strength is many countries coming together and putting their collective security in the single organisation of NATO? Did she explain to Donald Trump where that strength comes from?

The Prime Minister: It was very clear around the NATO summit table—it was a point that I and others made—that our unity and collective strength have made NATO the bedrock of European security over the years.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): A strong Royal Navy is vital to countering Russian aggression in the north Atlantic and on our northern flank. What discussions did the Prime Minister have at the NATO summit about preserving our amphibious capabilities as part of that NATO effort, especially protecting HMS Albion, HMS Bulwark and the Royal Marines?

The Prime Minister: Obviously, discussions take place about our particular capabilities and how we ensure that we protect them. We have made a significant commitment to our Royal Navy in terms of the equipment that we are providing. The fact that we have two new aircraft carriers and the new frigates that will come forward shows that we have made a very real commitment to our Royal Navy for the future.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The splendid formations of Typhoons and Tornados flying over London last week surely exemplify the fruits of previous co-operation with European countries. The Prime Minister used the interesting phrase, “where it is right to do so in the future”. Does that mean that it is conceivable that there might not be such co-operation in future?

The Prime Minister: We have said that we will have an independent foreign and defence policy and that there will be occasions when we co-operate with the European Union on those matters, just as there are occasions when we co-operate on a bilateral basis with individual countries in Europe—for example, the very good co-operation that we have with France on defence matters and the co-operation that we now have with some of the Nordic states on the Joint Expeditionary Force. We will ensure that we do what is in our national interests and the interests of maintaining European security.

Gavin Robinson (Belfast East) (DUP): The Prime Minister helpfully outlined just how disregarding Russia is of international rules and order, but having engaged with our NATO allies, does she believe that military confrontation with Russia is more likely, less likely or the same?

The Prime Minister: We have seen that malign state activity from Russia across a whole range of activities and capabilities. What is important for us sitting around that table and in NATO is ensuring that we have the capabilities to deal with that threat in whatever form it comes.
Trade Policy

4.29 pm

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): In October last year, my Department published a White Paper, “Preparing for our Future UK Trade Policy”, in which we set out the Government’s commitment to transparency and inclusiveness in our future trading arrangements. The paper also set out our intention to boost our trade relationships with old friends and new allies, expanding access to markets across the globe. Today, I can set out the role of Parliament, the devolved Administrations, public, business and civil society, and how the Government intend to engage with those groups as we embark on our new international trade agreements to benefit the whole UK and ensure we meet our commitments to an inclusive and transparent trade policy.

Scrutiny of our future trade arrangements is vital as we take powers back from the EU into UK law and begin negotiating our own new free trade agreements. I would like, at this stage, to make a distinction between our free trade agreements with new partners, to which this statement relates, and continuity trade agreements—those being legislated for in the Trade Bill tomorrow and to which the customs Bill powers being debated today will also apply. With that distinction in mind, for our new FTAs we will now put in place a structured approach to engagement to provide clarity on how stakeholders can feed into this vital work that will help to shape the trading future of our country.

To ensure that our new agreements and future trade policy work for the whole UK, it is vital that Parliament, the devolved Administrations, local government, business, trade unions, civil society and the public from every part of the UK have the opportunity to engage and contribute from the outset of the process. On Parliament specifically, the Government are committed to providing Parliament with the ability to inform and scrutinise new trade agreements in a timely and appropriate manner. I want to set out how this will be achieved.

We will ensure that parliamentarians are given the opportunity to consider the level of ambition of the Government’s approach to negotiations and the potential implications of any agreements. We will explore the best process to do that, but in the first instance it could take the form of a general debate. In addition, the Government will keep both Houses updated on the progress of negotiations through statements and updates to the International Trade Committee as the negotiations progress. This will include timely analysis at appropriate points to support decision making. Of course, as in any negotiation, a certain level of confidentiality will be necessary to help ensure the best outcome for the UK, and the updates will be given with that in mind.

At the end of a negotiation, the Constitutional Reform and Governance Act 2010 will continue to apply as it does to all treaties that are subject to ratification. Under the Act, the Government will lay before Parliament any treaty they intend to ratify, alongside an explanatory memorandum which will summarise the content of each trade agreement. Consistent with best practice, with any new international trade partners the Government will also, at the appropriate time, publish an impact assessment. To implement a new trade agreement with a new partner, the Government will bring forward a bespoke piece of primary legislation when required for each new future trade agreement that requires changes to legislation and where there are no existing powers. Parliament will therefore have the opportunity to scrutinise the new legislation in the normal way. I believe that this process will strengthen Parliament’s ability to shape and scrutinise the Government’s ambitious trade policy agenda and our new free trade agreements with partners around the world.

To develop and deliver a UK trade policy that benefits business, workers and consumers across the whole UK, we need to reflect the needs and individual circumstances of England, Scotland, Wales and Northern Ireland. We will work closely with the devolved Administrations on an ongoing basis to deliver an approach that works for the whole UK. As part of this, we are conducting a series of collaborative policy roundtables with devolved Administrations and key stakeholders in all parts of the country, which will draw on their knowledge and expertise, recognising their role in helping to deliver the objectives of our trade policy and future negotiations. We will ensure that the devolved Administrations are able to inform the Government’s approach to negotiations throughout the consultation period and, of course, with subsequent engagement throughout the entire negotiation process. We will also engage more widely in Scotland, Wales and Northern Ireland, holding meetings with a wide range of stakeholder groups. Let us not forget the English regions, whose involvement in this process is also of vital importance and who, from the north-east to the south-west, make a huge contribution to our trading performance. They, too, will be fully involved.

As we prepare to begin negotiating future trade agreements once we leave the EU, we will also want groups and any individuals with an interest to have their say and inform our approach to negotiations. Our White Paper asked how the Government should seek views from the public, business, trade unions and civil society. We were grateful to receive thousands of responses. The responses made clear the need to move to a more formalised engagement structure, so that stakeholders are clearer on when and how they can offer input and how their information will be used. It is therefore important that we ensure that the public, and wider stakeholders, have access to this process online to make sure that we reach the widest possible range of people, in terms of both diversity and geography. I will write to all Members with website and address details so that we can fully inform and involve our constituents.

My Department will also convene a strategic trade advisory group to bring expert external insight to trade policy making and to advise Ministers. We are inviting expressions of interest in membership and will appoint 14 members, based on their technical expertise, to take seats on the group. We will ensure that the group represents the varied interests of business, workers, consumers and non-governmental organisations in all parts of the UK. More details can be found on the Department for International Trade gov.uk pages.

I have said that all stakeholders and members of the public must be able to inform the Government’s approach, and that is why we will launch public consultations for
Each potential new trade agreement. If we are to learn the lessons from agreements such as the Transatlantic Trade and Investment Partnership, we need to ensure that people are able to express their views and feel that they have been taken into account. I want people to feel invested in this process and that the benefits of free trade are shared across the length and breadth of the UK. The Government’s consultations will therefore last for 14 weeks, giving everyone the opportunity to share their objectives and any concerns about potential new agreements. I will update the House on potential agreements that will be subject to consultation in the coming days. My ministerial colleagues and I will continue to meet representatives from business and civil society and my officials will continue to welcome technical policy discussions with a broad range of experts. We will also hold a range of outreach events to engage with stakeholders across the whole United Kingdom.

The views gathered through the Government’s consultation and engagement will ensure an informed and well evidenced approach to each of our trade negotiations. I can confirm that before entering formal negotiations, we intend to publish an “Outline Approach” to each negotiation, setting out the high-level objectives and scope of that negotiation. This document will be accompanied by a scoping assessment at that point.

As I have said many times, the decision to leave the European Union was not a decision to retreat from the world. In fact, we need to embrace it—to trade more, not less, and to fight protectionism and break down the barriers to trade wherever we find them. As agreed at the European Council meeting in March, the UK will be able to begin to negotiate new trade agreements from April 2019. It is therefore right that we set out how we intend to gather views from across the country now to inform the Government’s approach to new trade negotiations before those talks begin and as they progress to conclusion.

As we decide our own trade policy for the first time in over 40 years, I am sure that Members of the House will agree that it is only right that we all get a say. I am confident that our proposals will deliver the scrutiny and transparency that the UK public, including Parliament, expect and deserve, and I commend this statement to the House.

4.38 pm

Barry Gardiner (Brent North) (Lab): I thank the right hon. Gentleman for advance sight of his statement. I have to say, when he said that he wanted to boost his relationships with old friends and new allies, I did wonder for a moment whether he was talking about the previous Foreign Secretary and the current Prime Minister, but it seemed not.

The Trade Bill completed its Committee stage more than six months ago. Since then, the Government have been too scared to bring it back for fear of what their Back Benchers might do to it, but tomorrow, this House will debate Report stage and Third Reading of the Trade Bill, so it was with a certain amount of disbelief that I saw that today of all days, the Secretary of State would be making a statement on “Delivering a transparent and inclusive UK trade policy”. I thought to myself, “This man’s having a laugh.” He is.

For months, since the first publication of this flawed piece of legislation last October, we have been saying that it fails to do what the Government led us to believe it would in the Gracious Speech at the state opening of Parliament—namely, to set out the legislative framework to deliver a transparent and inclusive UK trade policy. Business has been saying it; unions have been saying it; civil society has been saying it. Madam Deputy Speaker, did you ever hear of such a coalition? The International Chamber of Commerce, the CBI, the British Chambers of Commerce, the EEF, the Institute of Directors and the Federation of Small Businesses all joined forces with the TUC, Unite the union, the Trade Justice Movement and even the Consumers’ Association, which publishes Which?, to tell the Government they needed to sort this out.

We tabled a series of amendments in Committee. The Government refused every one. So why this protestation, this deathbed Damascene conversion by the Secretary of State? It is a welcome confession, but as drafted the Bill does not provide what so many on the Government Benches told us was the point of leaving the EU. It does not give control over laws to this sovereign Parliament; it gives them to Ministers. What today in his statement has the Secretary of State done to change this? The words are warm. The detail is far from clear. Will he be accepting new clause 3 tomorrow? It sets out a proper scrutiny procedure for trade agreements. We tabled that amendment in Committee only to see it removed. We welcome his statement that the Government will be bringing forward a proper consultation process in advance of future trade agreements. Does this mean he will be accepting our amendment 18 on consultation or our new clause 4 on respecting the rights of the devolved Administrations? The true penitent must not merely confess his sins; the true penitent must amend his ways. There is little in this statement that shows the Government are prepared to do so.

Modern trade agreements are so complex and extensive that they reach into nearly all aspects of government and policy, but they are not like domestic legislation, which can be repealed when it is no longer technically suitable or politically acceptable. Instead, they place legally binding obligations on Governments in perpetuity that cannot be simply amended or repealed yet those obligations can be agreed behind closed doors and in total secrecy by the Government’s negotiators alone. That is why it is incumbent upon Members of this House to ensure a rigorous and robust scrutiny framework for trade agreements.

Until now, the Government have rejected every single one of our amendments. It is welcome that, however late in the day, they have tabled amendments addressing at least some issues before tomorrow’s Third Reading, but they do not go far enough. They have now agreed with Labour that regulations should not be implemented under the negative procedure. They have also agreed with Labour that there could be substantive variation in the roll-over agreements compared with the corresponding EU agreements and have brought forward amendments that will require the Government to report on any such change. But of course as one hand gives, the other hand takes away, as they have also tabled an amendment that would allow them to ignore this, should they so choose. Reporting on a change is not the same as giving Parliament the power to amend it. I trust that, given the Secretary
of State’s acknowledgement today of the Bill’s failings, he will support those amendments that seek to rectify the shortcomings tomorrow.

Finally, why are we having this statement today? It could and should have been delivered as part of the debate on the Bill tomorrow. Indeed, any concessions could have been brought forward as amendments at any stage since it had its Second Reading last November. Today’s statement can only have been brought forward in a bid to limit time for this afternoon’s critical debate on the Taxation (Cross-Border Trade) Bill and to stave off any opportunity for right hon. and hon. Members to expose the ludicrous position this Government have now got themselves into by saying they will accept European Research Group amendments that directly contradict the Chequers agreement.

A group of Ministers and Back-Bench Members within and outside the Cabinet now appear to be deliberately steering the Brexit negotiations on to the rocks of a no deal, with all the damaging consequences for jobs and our economy of moving disruptively on to World Trade Organisation rules. I believe the Secretary of State is one such. The warm words and platitudes of this statement do not mask the cynical political game he is playing and make a mockery of the role of this House in undertaking proper and rigorous debate of some of the most important legislation to come before us in 50 years.

Dr Fox: As no questions were actually raised in the hon. Gentleman’s response to my statement, I am tempted simply to sit down again.

One of the reasons we give advance notice to Front Benchers is to try to ensure that they are at least be talking about the same issue as we are. However, I am afraid the shadow Secretary of State does not seem to understand that the Trade Bill, which we will debate tomorrow, specifically does not involve future free trade agreements; it merely involves continuity agreements. If the hon. Gentleman does not understand that point, I am not sure what else in the Bill he will understand.

Today’s statement related to new free trade agreements. I gave the House a commitment that I would set out, before the summer recess, what our proposals would be, what our economy of moving disruptively on to World Trade Organisation rules. However, it should be ensured that we have adequate time that we will have in which to debate the shortcomings tomorrow.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order. It will be obvious to the House that, as the statement made clear, this is about how Parliament, the devolved Administrations and the wider public will be engaged in the process of forming free trade agreements with new partners, and scrutinising those trade agreements. In other words, this is a relatively narrow canvas to which colleagues can fit their questions. The Chair will not entertain long speeches about anything to do with Brexit. I am sure that Members will find a way of asking the questions that they wish to ask, while keeping within the narrow canvas that I have just described.

Mr Kenneth Clarke (Rushcliffe) (Con): I rather share the suspicion of the hon. Member for Brent North (Barry Gardiner) that the only reason this non-urgent statement was made today was to reduce the already inadequate time that we will have in which to debate the highly important Bill that follows, which is likely to be squeezed into four hours for speeches and Divisions—although the hon. Gentleman then filibustered. I shall try to avoid contributing to that filibuster.

As you have given your ruling, Madam Deputy Speaker, I will not ask the full question that I was going to ask about the rumours that the Government will adopt, this afternoon, amendments that are directly inconsistent with the White Paper of a week ago, including amendments tabled by my hon. Friends. For instance, new clause 36 contradicts paragraph 17(a) of the White Paper, on page 17. Are any statements by the Government on its trade policy in future to be relied on for more than a week or two at the moment, and is it not rather premature for the Secretary of State to come here and explain exactly how we may eventually be contemplating new trade agreements of our own, which will take many, many years to achieve?

Dr Fox: I will not take any more of the House’s time, Madam Deputy Speaker, but it is entirely untrue that that was the reason for the statement.

Stewart Hosie (Dundee East) (SNP): I thank the Secretary of State for his statement and for advance sight of it, and indeed for the tone that he adopted. I am particularly grateful for what he said about enabling Parliament to scrutinise future trade deals in a timely fashion. However, it should be ensured that we have enough information to be able to scrutinise them properly.

I will not be as cynical as others, but I find it slightly odd that an urgent statement has been made about a nine-month-old document. Nevertheless, what was said was welcome, especially in relation to liaison with businesses, workers and non-governmental organisations, particularly those concerned with trade justice. I ask the Secretary of State to confirm that there will be sufficient sight and enough detail of future proposals for them to do their work as well.

I also welcome what the Secretary of State said about how we may eventually be contemplating new trade agreements of our own, which will take many, many years to achieve

But most importantly, I hope the Secretary of State takes on board when he is liaising—and I take him at his word that this will happen—the deep concern in society, in campaign groups and throughout all sorts of organisations about the implications of trade deals in the future for public safety, good hygiene and the environment, and understands that we never again, as he mentioned in his statement, want to get into a position such as we were with the Transatlantic Trade and Investment Partnership, where, after a short period of time, there was mass opposition to a bad treaty not discussed with the public in advance.
The Secretary of State talks about future trade deals, and I understand why he is making that distinction, but if we have a trade deal that is being rolled over but requires some tweaks or changes that are subsequently extended beyond five years, that may look very similar to a new trade deal. I hope he will look actively at having the same scrutiny of and consultation on those arrangements as he does simply for deals in the future.

Dr Fox: I am very grateful to the hon. Gentleman for a response with some substance. He is quite right to say that the length of time available is important; it is why we have chosen a consultation period of 14 weeks—the EU, for example, has 12, and other countries have less than that—and it is important that we allow that to happen. He is also right that with TTIP many of the public felt they had not been involved from the beginning of the process; there was no equivalent process to the one we are setting out today for the pre-negotiation phase so that the public could set out their ambitions and objectives for any trade agreement.

On future agreements, I ask the hon. Gentleman to look at what this House has already agreed on CETA: chapters 23 and 24 specifically place restrictions on Governments from watering down in any way their labour or environmental laws for the promotion of trade. We have already agreed that that will be the basis of our future trade agreement with Canada, and I ask the hon. Gentleman to judge the Government on what we do, not on what is said.

Sir Nicholas Soames (Mid Sussex) (Con): It will be brave man who does not acknowledge your strictures, Madam Deputy Speaker, and I shall stick faithfully to them.

First, I congratulate my right hon. Friend on outlining the broad parameters of how future trade policy and consultation will work. I agree with the hon. Gentleman that we need at least 14 weeks of consultation—I would argue for more, perhaps 24 weeks. We need a process by which we can consult properly and have the maximum possible scrutiny. These agreements are as much about meeting our consumers’ wishes on safety and the environment as they are about getting a good deal for them.

Dr Fox: My right hon. Friend is right: it is important that we explain what is involved. It is also important to genuinely consult, as he says. That is why the Government in their pre-negotiation phase are doing what has never been done to this extent before. Pascal Lamy, the former director-general of the World Trade Organisation, said we are leaving a period in trade which was about the protection of producers and entering one about the precaution of consumers. Our consumers are very much more interested in trade policy today than they have ever been, and therefore they will expect, and we have a duty to provide, the appropriate consultation for them.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): This statement is about consultations in advance of future trading arrangements, so will the Secretary of State assure the House that he at no time consulted members of the Conservative European Research Group on their four wrecking amendments wrecking the Chequers arrangement before they were tabled?

Dr Fox: Madam Deputy Speaker, of all Members of the House I know what it is like to invoke your wrath, so I will not stray into that territory about what may happen on legislation later today. All I can say is that the Government gave a commitment that before the recess we would come to the House with our proposals for consultation on and scrutiny of new free trade agreements, and that is exactly what we have done.

John Redwood (Wokingham) (Con): I strongly support the Government’s line that where we have an existing trade agreement through the EU, we are as entitled to take that over for us as it is for the residual EU. I trust my right hon. Friend will just crack on with that and have it ready by March 2019 in case we leave then, while having a different process for a new trade deal, which I am sure the public will welcome.

Dr Fox: We have always made it clear, as I did at the beginning of my statement, that there is a distinction between the continuity agreements covered in the Trade Bill that we will debate tomorrow and new free trade agreements, which we promised we would set out the scrutiny procedure for, and that is what has happened today. I know that it sometimes comes as a shock to the House when a Government do exactly as they said they would do in exactly the timescale allocated, but I am afraid that that is exactly what has happened today.

Tom Brake (Carshalton and Wallington) (LD): The Secretary of State said in his statement: “We will ensure that parliamentarians are given the opportunity to consider the level of ambition of the Government’s approach to negotiations and the potential implications of any agreements.” Will he therefore confirm that the “potential implications” of, say, a US deal might include chlorinated chicken—toxic or otherwise—hormone-fed beef or GMO food?

Dr Fox: The whole point of the negotiation phase, which is one of five phases of a free trade agreement, is that the public set out what they believe the level of ambition should be. Those who want to set restrictions on what they think the Government’s mandate in the negotiation should be will be free to express themselves during that period. That is exactly why we are putting this forward, because the worst thing would be to go into a negotiation when the public felt that their views had not been taken into account in any way. As I have said, this is not just about the Government being philanthropic in the trade space; it is also about our self-interest, because it makes the job much easier for the Government and for Parliament if the public feel that they have genuinely been consulted. As my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) said, one of the problems with the TTIP process was that the public felt that they had been ignored and that the negotiation had happened from start to finish away from public scrutiny. We have to try to avoid that happening in future if we are to take advantage of the freedom that new free trade agreements will give to the country.

Greg Hands (Chelsea and Fulham) (Con): I congratulate my right hon. Friend on outlining the broad parameters of how future trade policy and consultation will work. I think he is on exactly the right lines, particularly with the commitment to primary legislation for each individual
trade deal. Will he tell us a bit more about the consultative roundtables that he has described? One of the things we will discover is that politicians and producer interests will quickly try to get to the front of them, so how will he ensure that consumers, consumer companies and consumer groups will have a proper voice in that consultation?

Sir Edward Leigh (Gainsborough) (Con): My old mum told me that I should not cherry-pick rules. When we try to make free trade agreements with America, for example, will the Secretary of State confirm that, following the Chequers agreement last week, we will have to accept the common rulebook in its entirety and that nothing in those deals can deviate from it?

Dr Fox: If that is the agreement that we come to with the European Union, that would be the case, and my hon. Friend is right that there would as a result be some restrictions in the offers that we could make in a free trade agreement—it is pointless to state otherwise. However, there would still be considerable freedom on agricultural tariffs, for example, and on quotas, and many of things that many of the countries with whom we will be negotiating want would still be entirely within our gift.

Dr Fox: As I mentioned earlier, one of the key elements will be the setting up of the strategic trade advisory group. We will ensure that we have representatives across that, including small and medium-sized enterprises, consumer representatives, development organisations and non-governmental organisations. I go back to the point that I made earlier: it is absolutely essential that people feel they have been genuinely consulted throughout the process; otherwise, they will say that they do not accept the agreement because there has not been sufficient transparency throughout the process.

Chris Bryant (Rhondda) (Lab): I completely agree with the Secretary of State on two things. First, I agree that protectionism is on the rise, which is bad for us in this country. Second, I am delighted that he is sticking with the Constitutional Reform and Governance Act 2010, because I wrote those clauses. I want to ask a specific question about deals that we do with new countries. Will every single one of them include human rights clauses?

Dr Fox: I refer the hon. Gentleman to the answer that I gave earlier, which was that the Government should be judged on what they are doing. In terms of the agreements we are now looking at and will be debating tomorrow, they all include those. I find it difficult to imagine that, when we have a widespread consultation, that will not be a strong ask of the Government.

Sir Desmond Swayne (New Forest West) (Con): But any scrutiny of and consultation on manufactures and food will be limited to tariff and quota, because we will continue to be bound by the acquis, won’t we?

David Linden (Glasgow East) (SNP): If Scotland is an equal part of the United Kingdom, why can it not have a seat at the table when we are negotiating the free trade agreements?

Dr Fox: Back when we signed the memorandum of understanding, we made it clear that if there are areas where any of the devolved Administrations might have specific interests, that may allow us to have a seat at an international negotiation. Of course, that would involve having to further the Government’s position because, remembering that trade is still a reserved matter, we could not go into negotiations with someone sitting on the British side of the table who took a different view from the Government’s broader objective for the whole United Kingdom.

Emma Little Pengelly (Belfast South) (DUP): I welcome the Secretary of State’s statement, particularly the commitment to devolved region engagement. However, will he commit to embed and formalise that engagement in this policy, including in relation to the negotiating mandate?

Dr Fox: I hope that I have set out the broad direction of travel on that, and we will now be negotiating and holding discussions with and informing the devolved Administrations to see how we can make that work in practice. I say to the hon. Lady in all candour that if trade is to be a reserved issue for the whole UK, it must become self-evident that its benefits are actually for the whole UK.

Dr Julian Lewis (New Forest East) (Con): For the avoidance of any doubt, will the Secretary of State confirm that none of these proposed arrangements would in any way be adversely affected if we left the EU without a deal and found ourselves operating on WTO terms?

Dr Fox: The arrangements that I have set out today must stand alone and have to apply whatever final agreement we come to with the European Union. They are about the scrutiny of our future trade agreements. There are no pre-conditions attached to how we have devised the mechanism itself.

Catherine McKinnell (Newcastle upon Tyne) (Lab): Appreciating that the scope of this question is about our future trade agreements, a business from my constituency said to me:

“We already work with and export to places like the US, Australia and South Africa, and I fail to see how leaving the single market and the customs union would enhance our ability to do any more of this.”

Will the Secretary of State therefore please clarify how that business can contribute to the consultation to ensure that it can actually make something of this new free trade world?

Dr Fox: The whole point of free trade agreements is to gain market access where we do not have it today for the benefit of our businesses that want to export. I hope that businesses will outline their level of ambition as each trade agreement is set out so that the Government understand just what they think they could do if markets were more open than they are today.
Dr Andrew Murrison (South West Wiltshire) (Con): I congratulate my right hon. Friend on his statement. What reassurance is he able to offer those who say that the inclusion of agri-food in the common rulebook is a sop to farmers in southern Europe and a snub to potential partners in places such as north Africa and Latin America?

Dr Fox: One of the most recent comments I have read is that this would stop Britain being able to import food of a standard that we do not currently find acceptable. I have said at the Dispatch Box many times that the Government have no interest whatsoever in reducing the quality of the food that we have in the United Kingdom nor the standards by which it is produced. In any case, if we reduced our standards, that would undermine the reputation of the goods that we sell abroad. It is because of our high standards that, according to Barclays, 57% of Chinese consumers, for example, are willing to pay more for goods made or produced in the UK.

Ben Lake (Ceredigion) (PC): The Secretary of State has committed to ensuring that the devolved Administrations are able to inform the Government’s approach to negotiations, but will he clarify what role they will have in the negotiations themselves and whether their consent will be sought before any trade agreement is ratified?

Dr Fox: I would imagine that, in line with other agreements, we would seek legislative consent from the devolved Administrations where there were elements in which they were required to apply parts of those negotiations. I would hope that, because I believe our interests are one and the same, we would want to work together to ensure that what we get for UK consumers, UK producers and UK exporters are of maximum benefit.

James Cleverly (Braintree) (Con): In my experience of public consultations, it is often the case that the people responding are not particularly well informed of the status quo, so will my right hon. Friend ensure that, as we move forward into this new way of working, we inform the public both of the situation as it currently is and of how it would be improved with the free trade agreements that are to be signed?

Dr Fox: I am extremely grateful to my hon. Friend for that question, as it is perhaps something I should have included in my statement. He is entirely right that, again to go back to the TTIP example, the public did not feel they were suitably informed. For each of the potential trade agreements, we will make available to the public a summary of what a free trade agreement actually is, the chapters that it constitutes, the specific nature of the country in question in terms of its market and what the opportunities will be. The more information we are able to give to all those stakeholders who will want to be part of the consultation, the better the collective decision we are likely to reach.

Rebecca Pow (Taunton Deane) (Con): On that note, bringing people with us by clearly outlining, explaining and engaging with everybody about what is proposed in the new free trade world is essential, and I welcome my right hon. Friend’s approach today. This is absolutely the right way to go. Will he confirm that these consultations will be straightforward so that my constituents can get involved in this new free trade world?

Dr Fox: We have had a look at what other countries have done, particularly in their online content, and how well it has gone down with those who have been involved in consultation processes. For that reason, I think it is very important that we have an online consultation that is fairly standardised so that the public know what is being asked of them from the information they are given.

Mr Philip Hollobone (Kettering) (Con): Will a comprehensive free trade agreement with the United States be more likely or less likely as a result of the White Paper?

Dr Fox: It will be dependent on what both sides are willing to concede and on the level of ambition that both sides have. Following my discussions, not least with the President of the United States last week, I am very optimistic that such an agreement is well within the reach of both parties.

Stephen Kerr (Stirling) (Con): I welcome my right hon. Friend’s statement and congratulate him on the prize for patience and perseverance goes to Tom Pursglove.

Tom Pursglove (Corby) (Con): Thank you, Madam Deputy Speaker.

My right hon. Friend the Secretary of State met the US President last week. Did the President indicate the US’s desire to do a free trade deal with the United Kingdom? If so, how will this consultation help to directly affect and influence that process?

Dr Fox: In line with his patience, I take the opportunity to thank my hon. Friend for all the work he did as my Parliamentary Private Secretary. He was one of the best PPSs it has been my pleasure to come across in my 26 years in the House of Commons.

Yes, the United States did show it has an appetite for a free trade deal, and what I think will be of interest to it is our willingness to be extraordinarily transparent and to give Parliament the scrutiny powers that most other countries take for granted.
Ministerial Code

Application for emergency debate (Standing Order No. 24)

Madam Deputy Speaker (Dame Eleanor Laing): I now call Pete Wishart 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. Gentleman has three minutes in which to make his application.

5.9 pm

Pete Wishart (Perth and North Perthshire) (SNP): I rise to propose that the House should debate a specific and important matter for urgent consideration, namely section 9.5 of the ministerial code.

I am grateful to you for calling me, Madam Deputy Speaker. This is my third attempt to secure a Standing Order No. 24 debate. So far the result has been zero out of two, but I am hoping for better fortune with this application.

Last Thursday’s release of the Department for Exiting the European Union’s White Paper “The future relationship between the United Kingdom and the European Union” was nothing less than a farce. Chaotic scenes of Members of Parliament throwing White Papers across the Chamber like frisbees did nothing for the reputation of this House or that of the document itself. At the point when the Secretary of State rose to give his statement neither our office, nor the Labour Whips Office, had received a copy of it. Section 9.5 of the ministerial code states:

“A copy of the text of an oral statement should usually be shown to the Opposition shortly before it is made. For this purpose, 15 copies of the statement and associated documents should be sent to the Chief Whip’s Office at least 45 minutes before the statement is to be made. At the same time, a copy of the final text of an oral statement should in all cases be sent in advance to the Speaker.”

I do not know whether Mr Speaker did receive a copy of the final text of the statement, but what I do know is that that same White Paper had been given to members of the press at 9 o’clock that morning, compounding the total disrespect to this House.

This was an important statement and an even more important document. The House has been waiting for two years for some kind of negotiating position from Her Majesty’s Government. Equally, the EU has been waiting two years, and people from across these isles had been waiting to hear what the Government were going to propose. As you know, Madam Deputy Speaker, Scotland did not vote for this Brexit. We did not endorse it and we want nothing whatsoever to do with it. Shambles and crises are occurring right across Whitehall—these crises seem to be developing by the hour.

May I also take this opportunity to thank Mr Speaker for suspending that chaotic session to ensure that Members had at least a few minutes to skim some of the pages of the White Paper before attempting to hold the Secretary of State to account? What the public must have made of those proceedings is anyone’s guess, but it was not the first time that the Department for Exiting the European Union had done this. One instance might have been an accident, but we are starting to see a troubling trend from this Department and others. This is just about the worst possible example of a breach of the ministerial code, and the matter requires more attention from the House. I humbly request an emergency debate to get the answers that the House and the country need.

Madam Deputy Speaker: The hon. Gentleman has asked leave to propose a debate on a specific and important matter that should have urgent consideration, namely section 9.5 of the ministerial code. I have listened carefully to the application, which the hon. Gentleman made in his usual excellent, rhetorical manner. I have to tell him that I am not persuaded that this matter is proper to be discussed under Standing Order No. 24. I thank him for his usual excellent and entertaining rhetoric.
Point of Order

5.13 pm

Helen Goodman (Bishop Auckland) (Lab): On a point of order, Madam Deputy Speaker. Whitworth Park School in my constituency is going through a period of considerable turmoil. The interim head, David Stone, and one of his deputies, Amy Aspland, have been pressurising teachers, pupils and parents not to contact their Member of Parliament and interrogating them about the content of the conversations if they have done so. Even prisoners are allowed to have confidential communications with their constituency MP. Furthermore, and misleadingly, people have been accused of “radicalisation”, which is the language the Government use in respect of preventing extremist terrorism. I would be very grateful for your guidance on what I can do to serve my constituents properly. Do you agree with me that at all times British citizens have the right to contact their Member of Parliament and, indeed, that that is essential for the health of our democracy?

Madam Deputy Speaker (Dame Eleanor Laing): I do agree with the hon. Lady—of course I do—and I am sure that every Member of this House will agree with her. I thank her for giving me notice that she wished to raise this matter. There is no doubt whatsoever that everyone who lives in all our constituencies should feel able to raise matters with their elected representatives in order that they can be brought up in Parliament, and that our constituents should be able to do so in every case, without fear of reprisal. It is clearly wrong of anyone, let alone public sector employees, to make any attempt to intimidate our constituents in order to prevent them from contacting us. If the hon. Lady believes, either now or at some future time, that an actual contempt or breach of privilege has been committed, her remedy is to write to Mr Speaker to set out the facts. I am quite sure that Mr Speaker will consider the matter with the gravity that it requires. Meanwhile, I am sure that the hon. Lady will use the range of parliamentary opportunities open to her, which she knows very well, to represent the views of her constituents with her customary vigour.

Taxation (Cross-border Trade) Bill
Consideration of Bill, not amended in the Public Bill Committee

New Clause 1

EU VAT area and pre-commencement requirements

“(1) It shall be a negotiating objective of Her Majesty’s Government in negotiations on the matters specified in subsection (2) to maintain the United Kingdom’s participation in the EU Customs Union.

(2) Those matters are—

(a) the United Kingdom’s withdrawal from the European Union, and

(b) a permanent agreement with the European Union for a period subsequent to the transitional period after the United Kingdom’s withdrawal from the European Union.

(3) It shall be the duty of the Secretary of State to lay a report before the House of Commons in accordance with either subsection (4) or subsection (5).

(4) A report under this subsection shall be to the effect that the negotiating objective specified in subsection (1) has been achieved.

(5) A report under this subsection shall be to the effect that the negotiating objective specified in subsection (1) has not been achieved.

(6) If a report is laid before the House of Commons in accordance with subsection (4), Parts 1 and 2 of this Act shall cease to have effect on the day after that day.

(7) If a report is laid before the House of Commons in accordance with subsection (5), the provisions specified in section 55(1) come into force on the day after that day.

(8) No regulations may be made under section 55(2) for the purpose of appointing a day for the coming into force of paragraph 1 of Schedule 7 (replacement of EU customs duties) unless a report has been laid before the House of Commons in accordance with subsection (5).” —(Anna Soubry.)

This new clause establishes a negotiating objective to maintain the UK’s participation in the EU Customs Union. Provides for Parts 1 and 2 of the Act to expire if that objective is met and makes the ending of the retention of EU customs duties conditional upon a report stating that the objective has not been met.

Brought up, and read the First time.

5.16 pm

Anna Soubry (Broxtowe) (Con): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Eleanor Laing): With this it will be convenient to discuss the following:

New clause 2—EU VAT area and pre-commencement requirements—

“(1) It shall be a negotiating objective of Her Majesty’s Government in negotiations on the matters specified in subsection (2) to maintain the United Kingdom’s participation in the EU VAT Area under the arrangements set out through the Union Customs Code and its delegated and implementing legislation.

(2) Those matters are—

(a) the United Kingdom’s withdrawal from the European Union, and

(b) a permanent agreement with the European Union for a period subsequent to the transitional period after the United Kingdom’s withdrawal from the European Union.
(3) It shall be the duty of the Secretary of State to lay a report before the House of Commons in accordance with either subsection (4) or subsection (5).

(4) A report under this subsection shall be to the effect that the negotiating objective specified in subsection (1) has been achieved.

(5) A report under this subsection shall be to the effect that the negotiating objective specified in subsection (1) has not been achieved.

(6) If a report is laid before the House of Commons in accordance with subsection (4), Part 3 of this Act shall cease to have effect on the day after that day.

(7) No regulations may be made for the commencement of provisions of Part 3 of this Act unless a report is laid before the House of Commons in accordance with subsection (5).”

This new clause establishes a negotiating objective to maintain the UK’s participation in the EU VAT Area and provides for Part 3 of the Act to expire if that objective is met.

New clause 3—Import tariffs under Part 1: restriction—

“(1) No power of the Treasury or of the Secretary of State to impose tariffs under or by virtue of the provisions specified in subsection (2) may be exercised in respect of goods originating from a country that is a Member State of the European Union.

(2) Those provisions are—

(a) section 8 (customs tariff),
(b) section 11 (quotas),
(c) section 13 (dumping of goods, etc),
(d) section 14 (agricultural goods), and
(e) section 15 (international disputes).”

This new clause prevents tariffs being imposed on goods originating from EU Member States.

New clause 4—Import tariffs under Part 1: pegging with EU tariffs—

“(1) In exercising the powers to impose or vary tariffs under or by virtue of the provisions of sections 8 to 15, it shall be the duty of the Treasury and the Secretary of State to secure that, so far as practicable, the level of those tariffs is the same as that imposed in respect of comparable goods imported into the European Union from third countries.

(2) For the purposes of this section—

(a) the level of tariffs imposed in respect of comparable goods imported into the European Union shall be determined with reference to EU customs duties (within the meaning of that term given by paragraph 1 of Schedule 7), and
(b) “third countries” means any country other than the United Kingdom that is not a member of the EU Customs Union.”

This new clause requires tariffs set by the UK to be pegged to EU tariffs.

New clause 5—Regulatory alignment: VAT and excise—

“(1) In exercising the powers under Parts 3 and 4 of this Act, it shall be the duty of the Treasury to secure that, so far as practicable, there is regulatory alignment in respect of VAT and excise with the European Union.

(2) For the purposes of this section, “regulatory alignment” includes, for example—

(a) the administration of VAT and excise duties on the basis of the same regulatory approach as that required in respect of EU Member States,
(b) the setting of import VAT with regard to comparable taxation within the European Union, and
(c) the establishment of a duty deferment scheme comparable to that in operation while the United Kingdom was a member of the European Union.”

This new clause requires regulatory alignment with regard to VAT and excise between new UK arrangements and those within the EU or as a member of the EU.

New clause 6—Pre-commencement impact assessment of leaving the EU Customs Union—

“(1) Within six months of Royal Assent of this Act, the Chancellor of the Exchequer must publish and lay before each House of Parliament an assessment of the impact of the proposed customs regime to be implemented under this Act on—

(a) the economy of the United Kingdom,
(b) the different parts of the United Kingdom and different regions of England, and
(c) individual economic sectors.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the proposed customs regime and continued participation in the EU Customs Union.

(3) In this section—

“parts of the United Kingdom” means—

(a) England,
(b) Scotland,
(c) Wales, and
(d) Northern Ireland;

“regions of England” has the same meaning as that used by the Office for National Statistics.”

This new clause requires the Treasury to publish an assessment on the economic impact of proposed customs regime and compare it to the economic impact of remaining in the EU Customs Union.

New clause 7—Review of the impact of this Act on the Northern Ireland—Ireland border—

“(1) Within six months of Royal Assent of this Act, the Chancellor of the Exchequer must publish and lay before each House of Parliament an assessment of the impact of the proposed customs regime to be implemented under this Act on Northern Ireland and the Republic of Ireland.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the proposed customs regime and continued participation in the EU Customs Union.

(3) The assessment must consider—

(a) the impact of the proposed customs regime on businesses that operate in both Northern Ireland and the Republic of Ireland,
(b) what, if any, physical infrastructure will be required at the border crossings between Northern Ireland and the Republic of Ireland to enforce the proposed customs regime,
(c) if, and how, the proposed customs regime preserves the effects of the Belfast Agreement of 10 April 1998, and
(d) what, if any, rules of the EU Customs Union are included in the proposed customs regime for the purposes of—

(i) promoting cooperation between Northern Ireland and the Republic of Ireland,
(ii) supporting the economy of the entire island of Ireland, and
(iii) preserving the effects of the Belfast Agreement of 10 April 1998.”
This new clause requires the Treasury to assess the impact of the proposed customs regime on Northern Ireland and Ireland, especially on the all-island economy, border crossings, the Good Friday Agreement and future alignment with the EU Customs Union.

New clause 9—Parliamentary scrutiny of public notices—

“(1) Any provision made by a public notice under this Act is subject to annulment in pursuance of a resolution of the House of Commons.

(2) Section 5 of the Statutory Instruments Act 1946 applies to this section as if all references in that Act to a statutory instrument subject to annulment were a reference to a public notice.”

This new clause allows the House of Commons to annul provisions made by public notice under this Act.

New clause 10—Review of free zones—

“(1) The Treasury shall, within three months of the passing of this Act, carry out a review of the exercise and prospective exercise of the relevant powers relating to free zones.

(2) The review under this section shall in particular consider—

(a) the economic effects of previous designations under the relevant powers relating to free zones,
(b) the operation of free zones in other Member States of the European Union,
(c) the effects of the United Kingdom’s withdrawal from the European Union on the case for the designation of free zones (including the prospective effects of the storage procedure under Part 2 of Schedule 2 in relation to free zones), and
(d) the prospective designation of Teesport as a free zone.

(3) The Chancellor of the Exchequer shall lay a report of the review under this section before the House of Commons as soon as practicable after its completion.

(4) In this section “the relevant powers relating to free zones” means—

(a) the power of the Treasury to make an order designating any area in the United Kingdom as a special area for customs purposes under section 100A of CEMA 1979 (designation of free zones), and
(b) the powers of HMRC Commissioners under section 17 of the Value Added Tax Act 1994 (free zone regulations).”

This new clause requires a review to be undertaken of the past and possible future exercise of powers to designate free zones and related powers, including comparative information and an analysis of the impact on the case of withdrawal from the EU.

New clause 11—Preparedness for a customs union with the European Union—

“(1) It shall be one of the negotiating objectives of Her Majesty’s Government in negotiations on the matters specified in subsection (2) to create an agreement which allows the United Kingdom to secure tariff free access to the European Union including the potential to participate in a customs union with the European Union, following exit from the European Union.

(2) Those matters are—

(a) the United Kingdom’s withdrawal from the European Union, and
(b) a permanent agreement with the European Union for a period subsequent to the transitional period after the United Kingdom’s withdrawal from the European Union.

(3) It shall be the duty of the Secretary of State to lay a report before the House of Commons in accordance with the negotiating objective specified in subsection (1) has been achieved.

(4) A report under this subsection shall be to the effect that the negotiating objective specified in subsection (1) has not been met.

(5) If a report is laid before the House of Commons in accordance with subsection (4), Parts 1 and 2 of this Act shall cease to have effect on the day after that day.

(6) No regulations may be made under section 55(2) for the purpose of appointing a day for the coming into force of paragraph 1 of Schedule 7 (replacement of EU customs duties) unless a report has been laid before the House of Commons in accordance with subsection (5).”

This new clause establishes a negotiating objective to secure an agreement which allows the United Kingdom to have tariff free access to the European Union including the potential to participate in a customs union with the European Union, following exit from the European Union, and makes associated provision about reporting and implementation and modification of the Bill as enacted.

New clause 12—Implementation of a customs union with the EU as a negotiating objective—

“(1) It shall be a negotiating objective of Her Majesty’s Government in negotiations on the matters specified in subsection (2) to secure the United Kingdom’s participation in a customs union with the European Union.

(2) Those matters are—

(a) the United Kingdom’s withdrawal from the European Union, and
(b) a permanent agreement with the European Union for a period subsequent to the transitional period after the United Kingdom’s withdrawal from the European Union.

(3) It shall be the duty of the Secretary of State to lay a report before the House of Commons in accordance with either subsection (4) or subsection (5).

(4) A report under this subsection shall be to the effect that the negotiating objective specified in subsection (1) has been achieved.

(5) A report under this subsection shall be to the effect that the negotiating objective specified in subsection (1) has not been achieved.

(6) If a report is laid before the House of Commons in accordance with subsection (4), Parts 1 and 2 of this Act shall cease to have effect on the day after that day.

(7) If a report is laid before the House of Commons in accordance with subsection (5), the provisions specified in section 55(1) come into force on the day after that day.

(8) No regulations may be made under section 55(2) for the purpose of appointing a day for the coming into force of paragraph 1 of Schedule 7 (replacement of EU customs duties) unless a report has been laid before the House of Commons in accordance with subsection (5).”

This new clause establishes a negotiating objective to secure the United Kingdom’s participation in a customs union with the European Union, provides for Parts 1 and 2 of the Act to expire if that objective is met and makes the ending of the retention of EU customs duties conditional upon a report stating that the objective has not been met.

New clause 13—Enhanced parliamentary procedure—

“(1) No regulations to which this section applies may be made except in accordance with the steps set out in this section.

(2) This section applies to—

(a) the first regulations to be made under—

(i) section 8 (the customs tariff);
(ii) section 9 (preferential rates under arrangements) in respect of any country or territory outside the United Kingdom; and
(iii) section 39 (charge to export duty);
(b) any other regulations to be made under section 8 the effect of which is an increase in the amount of import duty payable under the customs tariff in a standard case (within the meaning of that section);
(c) any other regulations under section 9 the effect of which is an increase in the amount of import duty applicable to any goods set by any regulations to which paragraph (a)(ii) applies;
(d) any other regulations under section 39 the effect of which is an increase in the amount of export duty payable;
(e) any regulations under—
   (i) section 10(1) (preferential rates given unilaterally);
   (ii) section 11(1) (quotas);
   (iii) section 13(5) (dumping of goods, foreign subsidies and increases in imports);
   (iv) section 14(1) (increases in imports or changes in price of agricultural goods); and
   (v) section 15(1) (international disputes).

(3) The first step is that a Minister of the Crown must lay before the House of Commons—
(a) a draft of the regulations that it is proposed be made;
(b) in respect of regulations to be made under section 9 to which this section applies, a statement of the terms of the arrangements made with the government of the country or territory outside the United Kingdom;
(c) in respect of regulations to be made under section 10(1), a statement on the matters specified in subsection (4);
(d) in respect of regulations to be made under section 11(1), a statement on the matters specified in subsection (5);
(e) in respect of regulations to be made under section 14(1), a statement of the reasons for proposing to make the regulations;
(f) in respect of draft regulations to be under section 15(1)—
   (i) a statement of the dispute or other issue that has arisen; and
   (ii) an account of the reasons why the Secretary of State considers that the condition in section 15(1)(b) has been met.

(4) The matters referred to in subsection (3)(c) are—
(a) the proposed application and non-application of the scheme to each country listed in Parts 2 and 3 of Schedule 3;
(b) any proposed conditions for the application of the lower rates or nil rate; and
(c) any proposed provisions about the variation, suspension and withdrawal of the application of the lower rates or nil rate.

(5) The matters referred to in subsection (3)(d) are—
(a) in respect of any case where the condition in section 11(2)(a) is met, a statement of the terms of the arrangements made with the government of the country or territory outside the United Kingdom; and
(b) in respect of any case where the condition in section 11(2)(b) is met, a statement of the reasons why the Treasury considers it is appropriate for the goods concerned to be subject to a quota.

(6) The second step is that a Minister of the Crown must make a motion for a resolution in the House of Commons setting out, in respect of proposed regulations of which a draft has been laid in accordance with subsection (3)—
(a) in respect of draft regulations to be made under section 8 to which this section applies—
   (i) the rate of import duty applicable to goods falling within a code given in regulations previously made under section 8 or in the draft of the regulations laid in accordance with subsection (3);
   (ii) anything of a kind mentioned in section 8(3)(a) or (b) by reference to which the amount of any import duty applicable to any goods is proposed to be determined; and
   (iii) the meaning of any relevant expression used in the motion.
(b) in respect of draft regulations to be made under section 9 to which this section applies, the rate of import duty applicable to goods, or any description of goods, originating from the country or territory.
(c) in respect of draft regulations to be made under section 11(1)—
   (i) the amount of import duty proposed to be applicable to any goods that are or are proposed to be subject to a quota; and
   (ii) the factors by reference to which a quota is to be determined.
(d) in respect of draft regulations to be made under section 10(1)—
   (i) each country to which the proposed regulations apply;
   (ii) the proposed conditions for the application of the lower rates or nil rate, and
   (iii) the proposed provisions about the variation, suspension and withdrawal of the application of the lower rates or nil rate.
(e) in respect of draft regulations to be under section 13(5), the amount of import duty proposed to be applicable to any goods that are or are proposed to be subject to a quota.
(f) in respect of draft regulations to be made under section 14(1)—
   (i) the proposed additional amount of import duty;
   (ii) the proposed period for the purposes of section 14(1)(a); and
   (iii) the proposed trigger price for the purposes of section 14(1)(b).
(g) in respect of draft regulations to be made under section 15(1), the proposed variation of import duty.
(h) in respect of draft regulations to be made under section 39 to which this section applies—
   (i) the rate of export duty applicable to goods specified in the resolution;
   (ii) any proposed export tariff (within the meaning given in section 39(3)(a)); and
   (iii) any measure of quantity or size by reference to which it is proposed that the duty be charged.

(7) The third step is that the House of Commons passes a resolution arising from the motion made in the form specified in subsection (6) (whether in the form of that motion or as amended).

(8) The fourth step is that the regulations that may then be made must, in respect of any matters specified in the paragraph of subsection (6) that relate to the section under which the draft regulations are to be made, give effect to the terms of the resolution referred to in subsection (7)."
(2) This section applies to regulations under—
(a) section 10(4)(a) (meaning of “arms and ammunition”);
(b) section 12 (tariff suspension);
(c) section 19 (reliefs);
(d) section 22 (authorized economic operators);
(e) section 30 (general provision for the purposes of import duty);
(f) section 42 (EU law relating to VAT);
(g) paragraph 2(1) of Schedule 3 (power to add or remove countries from lists in that Schedule);
(h) paragraph 1(3) of Schedule 4 (definitions and determinations in relation to goods being “dumped”);
(i) paragraph 5 of Schedule 4 (determination of certain matters relating to “injury” to a UK industry);
(j) paragraph 26(1) of Schedule 4 (provision for suspension of anti-dumping or anti-subsidy remedies);
(k) paragraph 1(2)(c) of Schedule 5 (defining a “significant” increase);
(l) paragraph 2 of Schedule 5 (definitions relating to “serious injury” to a UK industry);
(m) paragraph 22(1) of Schedule 5 (provision for suspension of safeguarding remedies) and regulations making provision on the matters in section 11(3)(c).

This new clause applies the affirmative resolution procedure to a number of powers in the Bill.

New clause 16—Additional regulations requiring the consent of the Scottish Parliament—

“(1) No regulations to which this section applies may be made unless a draft has been given consent by the Scottish Parliament.

(2) This section applies to regulations under—
(a) section 10(4)(a) (meaning of “arms and ammunition”);
(b) section 12 (tariff suspension);
(c) section 19 (reliefs);
(d) section 22 (authorized economic operators);
(e) section 30 (general provision for the purposes of import duty);
(f) section 42 (EU law relating to VAT);
(g) paragraph 2(1) of Schedule 3 (power to add or remove countries from lists in that Schedule);
(h) paragraph 1(3) of Schedule 4 (definitions and determinations in relation to goods being “dumped”);
(i) paragraph 5 of Schedule 4 (determination of certain matters relating to “injury” to a UK industry);
(j) paragraph 26(1) of Schedule 4 (provision for suspension of anti-dumping or anti-subsidy remedies);
(k) paragraph 1(2)(c) of Schedule 5 (defining a “significant” increase);
(l) paragraph 2 of Schedule 5 (definitions relating to “serious injury” to a UK industry);
(m) paragraph 22(1) of Schedule 5 (provision for suspension of safeguarding remedies) and regulations making provision on the matters in section 11(3)(c).

This new clause would require Scottish Parliament consent to implement a number of powers in the Bill.

New clause 18—Tariffs not to differ from the European Union until House of Commons authority given—

“(1) Unless and until the House of Commons has passed a resolution in the terms specified in subsection (3), subsection (2) shall apply.

(2) Unless and until the resolution referred to in subsection (1) is passed—
(a) in exercising the powers to impose or vary tariffs under or by virtue of the provisions of sections 8 to 15, it shall be the duty of the Treasury and the Secretary of State to secure that, so far as practicable, the level of those tariffs is the same as that imposed in respect of comparable goods imported into the European Union from third countries, and
(b) no power of the Treasury or of the Secretary of State to impose tariffs under or by virtue of the provisions specified in subsection (5) may be exercised in respect of goods originating from a country that is a Member State of the European Union.

(3) The form of the resolution referred to in subsection (1) is “That this House authorises Her Majesty’s Government to set tariffs that differ from those of the European Union”.

(4) After the House of Commons has passed a resolution in the terms specified in subsection (3), subsection (2) shall no longer apply.

(5) The provisions referred to in subsection (2)(b) are—
(a) section 8 (customs tariff),
(b) section 11 (quotas),
(c) section 13 (dumping of goods, etc),
(d) section 14 (agricultural goods), and
(e) section 15 (international disputes).

(6) For the purposes of this section—
(a) the level of tariffs imposed in respect of comparable goods imported into the European Union shall be determined with reference to EU customs duties (within the meaning of that term given by paragraph 1 of Schedule 7), and
(b) “third countries” means any country other than the United Kingdom that is not a member of the EU Customs Union.”

This new clause would require a meaningful vote before the UK Government could introduce tariffs different to those of the EU.

New clause 20—Application to Scotland of arrangements for Northern Ireland—

“(1) No power of the Treasury or of the Secretary of State exercisable under the provisions specified in subsection (2) shall make customs arrangements in respect to goods that originated from a country that is a Member State of the European Union entering Northern Ireland unless one or both of the conditions in subsection (3) is met.

(2) Those provisions are—
(a) section 8 (customs tariff),
(b) section 11 (quotas),
(c) section 13 (dumping of goods, etc),
(d) section 14 (agricultural goods), and
(e) section 15 (international disputes).

(3) The conditions are that—
(a) the customs arrangements that apply to Northern Ireland also apply to Scotland, or
(b) the Scottish Ministers consent to the arrangements being made.”

This new clause prevents Northern Ireland being given a special status not available to Scotland, subject to approval by Scottish Ministers.

New clause 22—Review of the impact of this Act on the Northern Ireland—Ireland border (No. 2)—

“(1) Within six months of Royal Assent of this Act, the Chancellor of the Exchequer must publish and lay before each House of Parliament an assessment of the impact on—
(a) Northern Ireland, and
(b) the Republic of Ireland,
of the proposed customs regime to be implemented under this Act.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the proposed customs regime and continued participation in the EU Customs Union.

(3) The assessment must consider—
This new clause would require Scottish Government approval to implement a number of powers in the Bill.

New clause 25—Review of the impact of this Act on the Scottish economy—

“(1) Within six months of Royal Assent of this Act, the Chancellor of the Exchequer must publish and lay before each House of Parliament an assessment of the impact of the proposed customs regime to be implemented under this Act on the Scottish economy.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the proposed customs regime and continued participation in the EU Customs Union.

(3) The assessment must consider—

(a) the impact of the proposed customs regime on businesses that operate in both Northern Ireland and the Republic of Ireland;

(b) what, if any, physical infrastructure will be required at the border crossings between Northern Ireland and the Republic of Ireland to enforce the proposed customs regime;

(c) if, and how, the proposed customs regime preserves the effects of the Belfast Agreement of 10 April 1998, and

(d) what, if any, rules of the EU Customs Union are included in the proposed customs regime for the purposes of—

(i) promoting cooperation between Northern Ireland and the Republic of Ireland,

(ii) supporting the economy of the entire island of Ireland, and

(iii) preserving the effects of the Belfast Agreement of 10 April 1998.”

This new clause requires the Treasury to assess the impact of the proposed customs regime on Scotland.

New clause 26—Import tariffs under Part 1: making tariffs on the EU less or equal to those on third countries—

“(1) In exercising the powers to impose or vary rates of import duty under or by virtue of the provisions of sections 8 to 15, it shall be the duty of the Treasury and the Secretary of State to secure that, so far as practicable, the level of those rates of import duty in respect of goods imported from the European Union is no greater than those imposed on third countries.

(2) For the purposes of this section “third countries” means any country other than the United Kingdom that is not a member of the EU Customs Union.”

This new clause requires tariffs set by the UK on EU goods to be no greater than those imposed on any third countries.

New clause 27—Import tariffs under Part 1: preventing tariffs on goods from third countries being lower than those on comparable goods from the European Union—

“(1) In exercising the powers to impose or vary rates of import duty under or by virtue of the provisions of sections 8 to 15, it shall be the duty of the Treasury and the Secretary of State to secure that, so far as practicable, rates of import duty are applied in respect of goods imported from third countries are not set at a lower rate than the rate of import duty set by the European Union in respect of the same goods and countries.

(2) This section does not apply to—

(a) eligible developing countries, or

(b) least developed countries.

(3) For the purposes of this section—

(a) “third countries” means any country other than the United Kingdom that is not a member of the EU Customs Union;

(b) “eligible developing countries” and “least developed countries” means those countries defined as such in Schedule 3.”

This new clause would prevent tariffs on goods from third countries being lower than those on comparable goods from the European Union.

New clause 28—Import tariffs under Part 1: preventing tariffs on third countries which may cause a dispute with the EU—

“(1) In exercising the powers to impose or vary rates of import duty under or by virtue of the provisions of sections 8 to 15, it shall be the duty of the Treasury and the Secretary of State to secure that, so far as practicable, rates of import duty are not applied in respect of goods imported from third countries which may jeopardise customs arrangements with the European Union or cause any dispute with the European Union.

(2) For the purposes of this section ‘third countries’ means any country other than the United Kingdom that is not a member of the EU Customs Union.”

This new clause would prevent a UK Government from entering into customs arrangements with third countries which would jeopardise customs arrangements with the European Union or cause any dispute with the European Union.

New clause 29—Import tariffs under Part 1: pegging with EU tariffs—

“(1) In exercising the powers to impose or vary rates of import duty under or by virtue of the provisions of sections 8 to 15, it shall be the duty of the Treasury and the Secretary of State to secure that, so far as practicable, rates of import duty are the same as those imposed in respect of comparable goods imported into the European Union from third countries.

(2) For the purposes of this section—

(a) the rates of import duty imposed in respect of comparable goods imported into the European Union...
shall be determined with reference to EU customs duties (within the meaning of that term given by paragraph 1 of Schedule 7), and
(b) ‘third countries’ means any country other than the United Kingdom that is not a member of the EU Customs Union.”

This new clause requires tariffs set by the UK to be pegged to EU tariffs.

New clause 30—Super-affirmative resolution procedure—

“(1) For the purposes of this Act, the ‘super-affirmative resolution procedure’ in relation to the making of regulations to which this section applies is as follows.

(2) If a Minister considers it necessary to proceed with the making of regulations to which this section applies, the Minister shall lay before the House of Commons—

(a) draft regulations,
(b) an explanatory document under subsection (3), and
(c) a declaration under subsection (4).

(3) The explanatory document must—

(a) introduce and explain any amendments made to retained EU law by each proposed regulation, and
(b) set out the reason why each such amendment is necessary (or, in the case where the Minister is unable to make a statement of necessity under subsection (4)(a), the reason why each such amendment is nevertheless considered appropriate).

(4) The declaration under subsection (2)(c) must either—

(a) state that, in the Minister’s view, the provisions of the draft regulations do not exceed what is necessary to prevent, remedy or mitigate any deficiency in retained EU law arising from the withdrawal of the United Kingdom from the EU (a “statement of necessity”), or
(b) include a statement to the effect that although the Minister is unable to make a statement of necessity the Government nevertheless proposes to exercise the power to make the regulations in the form of the draft.

(5) Subject as follows, if after the expiry of the 21-day period a committee of the House of Commons appointed to consider draft regulations under this section has not reported to the House of Commons a resolution in respect of the draft regulations laid under section 32(2A) or 42(6), the Minister may proceed to make a statutory instrument in the form of the draft regulations.

(6) A statutory instrument containing regulations under subsection (5) shall be subject to annulment in pursuance of a resolution of the House of Commons.

(7) The procedure in subsection (8) to (15) shall apply to the proposal for the draft regulations instead of the procedure in subsection (5) if—

(a) the House of Commons so resolves within the 21-day period,
(b) the committee appointed to consider draft regulations under this section so recommends within the 21-day period and the House of Commons does not by resolution reject the recommendation within that period, or
(c) the draft regulations contain provision to—

(i) establish a public authority in the United Kingdom,
(ii) provide for any function of an EU entity or public authority in a member State to be exercisable instead by a public authority in the United Kingdom, (iii) imposes, or otherwise relates to, a fee in respect of a function exercisable by a public authority in the United Kingdom,
(iv) creates, or widens the scope of, a criminal offence, or
(v) creates or amends a power to legislate.

(8) The Minister must have regard to—

(a) any representations,
(b) any resolution of the House of Commons, and
(c) any recommendations of a committee of the House of Commons charged with reporting on the draft regulations, made during the 60-day period with regard to the draft regulations.

(9) If, after the expiry of the 60-day period, the Minister wishes to make regulations in the terms of the draft, the Minister must lay before the House of Commons a statement—

(a) stating whether any representations were made under subsection (8)(a), and
(b) if any representations were so made, giving details of them.

(10) The Minister may after the laying of such a statement make regulations in the terms of the draft if it is approved by a resolution of the House of Commons.

(11) However, a committee of the House of Commons charged with reporting on the draft regulations may, at any time after the laying of a statement under subsection (9) and before the draft regulations are approved by that House under subsection (10), recommend under this subsection that no further proceedings be taken in relation to the draft regulations.

(12) Where a recommendation is made by a committee of the House of Commons under subsection (11) in relation to draft regulations, no proceedings may be taken in relation to the draft regulations in the House of Commons under subsection (10) unless the recommendation is, in the same Session, rejected by resolution of the House of Commons.

(13) If, after the expiry of the 60-day period, the Minister wishes to make regulations consisting of a version of the draft regulations with material changes, the Minister must lay before Parliament—

(a) revised draft regulations, and
(b) a statement giving details of—

(i) any representations made under subsection (8)(a); and
(ii) the revisions proposed.

(14) The Minister may after laying revised draft regulations and a statement under subsection (9) make regulations in the terms of the revised draft if it is approved by a resolution of the House of Commons.

(15) However, a committee of the House of Commons charged with reporting on the revised draft regulations may, at any time after the revised draft regulations are laid under subsection (12) and before it is approved by the House of Commons under subsection (13), recommend under this subsection that no further proceedings be taken in relation to the revised draft regulations.

(16) Where a recommendation is made by a committee of the House of Commons under subsection (14) in relation to revised draft regulations, no proceedings may be taken in relation to the revised draft regulations in the House of Commons under subsection (13) unless the recommendation is, in the same Session, rejected by resolution of the House of Commons.

(17) In this section, references to the ‘21-day’ and ‘60-day’ periods in relation to any draft regulations are to the periods of 21 and 60 days beginning with the day on which the draft regulations were laid before Parliament.”

This new clause applies an amended version of the super-affirmative resolution procedure to certain powers to make regulations under Schedules 4 and 5, and Clause 42.

New clause 31—VAT deferral scheme—

“(1) This section applies if it appears to the Secretary of State that the United Kingdom will cease to be a member of the European Union taxation and customs union.
(2) The Secretary of State must by regulations introduce a domestic deferral scheme for UK importers.

(3) In designing a scheme under subsection (2), the Secretary of State must consult with whichever relevant stakeholders deemed by the Secretary of State to be appropriate.

(4) Regulations under subsection (2) may be made only if a draft of the regulations has been laid before, and approved by resolution of, the House of Commons."

New clause 32—Rules of origin—

“(1) Where the exigencies of trade so require, a document proving origin may be issued in the UK in accordance with the rules of origin in force in the country or territory of destination or any other method identifying the country where the goods were wholly obtained or underwent their last substantial transformation. The Secretary of State may by regulations specify—
   (a) the bodies that certificate origin for the purposes of a certificate under subsection (1),
   (b) the specifications of the certificate, and
   (c) any other relevant factor.”

This new clause would allow a document proving origin to be issued in the UK and would allow the Secretary of State to make regulations specifying the bodies that can issue a certificate and the specifications of a certificate as well as other relevant factors.

New clause 33—Additional regulations requiring the affirmative procedure (No. 2)—

“(1) No regulations to which this section applies may be made unless a draft has been laid before and approved by a resolution of the House of Commons.

(2) This section applies to regulations under—
   (a) section 8(1) (the customs tariff);
   (b) section 14(1) (agricultural goods);
   (c) section 19(1) (reliefs);
   (d) section 22(1) (authorised economic operators);
   (e) section 30 (general provision for the purposes of import duty);
   (f) section 39(1) (export duties);
   (g) section 42(5) (exclusion from principal VAT directive);
   (h) section 47(2) (exclusion from or modification of EU law relating to excise duty).”

This new clause applies the affirmative resolution procedure to a number of powers in the Bill.

New clause 34—Exclusion from tariffs for land border—

“Upon the United Kingdom’s withdrawal from the European Union, the United Kingdom shall not charge any customs duty or impose any quotas on goods entering the United Kingdom across the land border between the Republic of Ireland and the United Kingdom.”

New clause 35—Exclusion from tariffs for goods imported from the Republic of Ireland—

“Part 1 of this Act shall not apply to the import of any good into the United Kingdom from the Republic of Ireland.”

New clause 36—Prohibition on collection of certain taxes or duties on behalf of territory without reciprocity—

“(1) Subject to subsection (2), it shall be unlawful for HMRC to account for any duty of customs or VAT or excise duty collected by HMRC to the Government of a country or territory outside the United Kingdom.

(2) Subsection (1) shall not apply if the Treasury declare by Order that arrangements have been entered into by Her Majesty’s Government and that government under which that government will account to HMRC for those duties and taxes collected in that country on a reciprocal basis.”

New clause 37—Single United Kingdom customs territory—

“(1) It shall be unlawful for Her Majesty’s Government to enter into arrangements under which Northern Ireland forms part of a separate customs territory to Great Britain.

(2) For the purposes of this section “customs territory” shall have the same meaning as in the General Agreement on Tariffs and Trade, 1947, as amended.”

Amendment 26, in clause 2, page 2, line 3, at end insert

“or goods coming from the EEA”.

This amendment seeks to remove the Bill’s provisions to grant the UK Government the ability to impose customs on EEA goods.

Amendment 68, in clause 2, page 2, line 3, at end insert

“or goods entering the United Kingdom across the land border between the Republic of Ireland and the United Kingdom”.

Amendment 69, in clause 2, page 2, line 3, at end insert

“or goods imported into the United Kingdom from the Republic of Ireland.”

Government amendment 74.

Amendment 71, in clause 8, page 6, line 6, at end insert—

“(e) the interests of producers in the United Kingdom,

(f) the desirability of maintaining United Kingdom standards of animal welfare, food safety and environmental protection.”

This amendment would require the Treasury, when considering the rate of import duty that ought to apply to any goods, to have regard to the interests of UK producers (e.g. farmers) and to the desirability of ensuring that UK standards of animal welfare, food safety and environmental protection are not undermined by imports produced to lower standards.

Amendment 119, in clause 8, page 6, line 6, at end insert—

“(e) the impacts on sustainable development.”

This amendment requires the Treasury to have regard to Government obligations to sustainable development in considering the rate of import duty.

Government amendment 84.

Amendment 21, in clause 13, page 9, line 18, at end insert—

“(4A) Subsection (4B) applies where the TRA or the Secretary of State is considering whether the application of a remedy, or the acceptance of a recommendation to do so—

(a) is in the public interest, or

(b) meets either of the economic interest tests described in paragraph 25 of Schedule 4 or paragraph 21 of Schedule 5.”

(4B) In making a consideration to which this subsection applies, notwithstanding the provisions of Schedules 4 and 5, the TRA or the Secretary of State must give special consideration to the need to eliminate the trade distorting effect of injurious dumping and to restore effective competition, and must presume the application of a remedy or the acceptance of a recommendation to do so to be in the public interest and to have met the economic interest test unless this special consideration is significantly outweighed.”

This amendment ensures that there is a presumption that if dumping is found, a remedial action will be taken.

Amendment 54, in clause 15, page 10, line 18, at end insert—

“(3) The Secretary of State must lay before the House of Commons an annual report on the exercise of the powers under this section including information on—"
(a) the relevant international law authorising the exercise of the powers in each case, and
(b) the matters in dispute or issues arising in each case.”
This amendment requires the Government to report on the circumstances of, and international law basis for, each variation of tariffs as a result of a trade dispute.

Amendment 55, in clause 22, page 14, line 36, at end insert—
“(4) Within three months of the passing of this Act, the Chancellor of the Exchequer must lay before the House of Commons a report on the proposed exercise of the power of the HMRC Commissioners to make regulations under subsection (1), including in particular—
(a) the proposed criteria to be applied in determining whether or not any person should be an authorised economic operator,
(b) an assessment of the structure of the authorised economic operator system in Germany, Austria and such other countries as the Chancellor of the Exchequer considers relevant,
(c) the proposed differences between the structure that is proposed to be established by the first exercise of the power to make regulations under subsection (1) and each of those structures described in accordance with paragraph (b),
(d) the level of proposed resources to be allocated by the HMRC Commissioners for the authorisation of new authorised economic operators, and
(e) the target timetable for the authorisation of—
(i) new authorised economic operators in each class, and
(ii) authorised economic operator certification renewals in each class.”
This amendment requires the Government to report on the proposed operation of the powers of the HMRC under Clause 22, including comparative information.

Amendment 33, in clause 25, page 17, line 2, leave out “Data Protection Act 1998” and insert “data protection legislation”.

This amendment and Amendment 34 seeks to provide that the powers of disclosure cannot be exercised in breach of the updated data protection framework to be enshrined in the Data Protection Act 2018.

Amendment 34, in clause 25, page 17, line 4, at end insert—
“(8) In this section, “the data protection legislation” has the same meaning as in the Data Protection Act 2018.”

Amendment 70, page 18, line 11, leave out clause 31.

Amendment 72, in clause 31, page 18, line 34, at end insert—
“(4A) In the case of a customs union between the United Kingdom and the European Union, Her Majesty may not make a declaration by Order In Council under subsection (4) unless the arrangements have been approved by an Act of Parliament.”

This amendment provides that the delegated powers under this clause may not be exercised until a proposed customs union with the European Union has been approved by a separate Act of Parliament.

Amendment 8, page 18, line 38, at beginning insert “subject to subsection (8)”.  
This amendment paves the way for Amendment 9.

Amendment 9, page 19, line 10, at end insert—
“(8) When the power under subsection (4) has been exercised in respect of a customs union between the United Kingdom and the European Union, the powers in subsections (4) and (5) may not be exercised so as to—
(a) provide that that customs union shall cease to have effect, or
(b) modify or disapply provision made by or under any other Act in a way that provides that that customs union shall cease to have effect.”

This amendment would prevent the delegated powers under Clause 31 being used to end a customs union once the transition period has finished. It provides that the delegated powers under Clause 31, once exercised in relation to a customs union with the EU, cannot be exercised to provide for departure from such a union.

Amendment 56, in clause 32, page 19, line 14, leave out subsections (2) to (4).

This amendment is consequential on NC33.

Government amendment 75.

Amendment 35, in clause 32, page 19, line 18, at end insert—
“(c) regulations under paragraph 4(2), 9(3) or 14(4) of Schedule 4.”

This amendment provides for regulations made under certain provisions of Schedule 4 (regarding dumping of goods or foreign subsidies causing injury to UK industry) to be subject to the made affirmative procedure rather than the negative procedure.

Amendment 36, page 19, line 18, at end insert—
“(c) regulations under paragraph 1(2), 3(2), 4(2) or 5 of Schedule 5.”

This amendment provides for regulations made under certain provisions of Schedule 5 (regarding an increase in imports causing serious injury to UK producers) to be subject to the made affirmative procedure rather than the negative procedure.

Government amendment 76.

Amendment 37, page 19, line 21, at end insert—
“(2A) Section (Super-affirmative resolution procedure) applies to regulations under paragraph 1(3), 3(5), 5(2), or 6(2) of Schedule 4.”

This amendment provides for regulations made under certain provisions of Schedule 4 (regarding dumping of goods or foreign subsidies causing injury to UK industry) to be subject to the superaffirmative resolution procedure, as defined in NC12.

Amendment 38, page 19, line 21, at end insert—
“(2A) Section (Super-affirmative resolution procedure) applies to regulations under paragraph 2(2) or 2(3) of Schedule 5.”

This amendment provides for regulations made under certain provisions of Schedule 5 (regarding an increase in imports causing serious injury to UK producers) to be subject to the superaffirmative resolution procedure, as defined in NC12.

Amendment 57, page 19, line 32, leave out “subsection (2)” and insert “section (Additional regulations requiring the affirmative procedure (Amendment 2))”.  
This amendment is consequential on NC33.

Amendment 39, page 19, line 32, after “(2)” insert “or (2A)”.

This amendment is consequential to Amendment 38.

Amendment 40, page 27, line 5, after second “to”, insert “number”.

This amendment clarifies that goods may be defined for the purposes of the export tariff simply by reference to their number.

Government amendment 77.

Amendment 41, in clause 39, page 27, line 12, at end insert—
“(aa) the interests of manufacturers in the United Kingdom,”.

This amendment requires the Treasury to have regard to the interests of manufacturers in considering the rate of export duty.

Amendment 42, page 27, line 17, at end insert “and
(e) the public interest.”
Amendment 120, page 27, line 17, at end insert “and (e) the impacts on sustainable development.”

This amendment requires the Treasury to have regard to Government obligations towards sustainable development in considering the rate of export duty.

Amendment 58, in clause 40, page 27, line 35, leave out subsections (2) to (4).

This amendment is consequential on NC33.

Amendment 59, page 28, line 7, leave out “subsection (2)” and insert

“section (Additional regulations requiring the affirmative procedure (Amendment 2))”.

This amendment is consequential on NC33.

Amendment 43, in clause 42, page 29, line 23, leave out subsection (1).

This amendment would be to remove from the Bill the provision that retained EU law on VAT should not have effect, despite forming part of UK law as a result of Clause 3 of the European.

Amendment 44, page 29, line 44, leave out from “regulation” to end of line 45.

The effect of this amendment would be to ensure that the UK Government does not exclude aspects of the EU’s principal VAT Directive that remain relevant by delegated legislation.

This amendment is consequential to Amendment 47.

Government amendment 78.

Amendment 45, page 30, line 1, leave out subsection (6) and insert—

“(6) Section (Super-affirmative resolution procedure) applies to regulations made under this section.”

This amendment applies the super-affirmative resolution procedure, described in NC12, to regulations made under this section.

This amendment is consequential on NC33.

Government amendment 79.

Amendment 62, page 30, line 12, at end insert—

“(9) This section shall, subject to subsection (10), cease to have effect at the end of the period of three years beginning with the day on which this Act is passed.

(10) The Treasury may by regulations provide that this section shall continue in force for an additional period of up to three years from the end of the period specified in subsection (9).

(11) The power to make regulations under subsection (10) may only be exercised once.

(12) No regulations may be made under subsection (10) unless a draft has been laid before and approved by a resolution of the House of Commons.”

This amendment sunsets the provisions of Clause 42.

Amendment 63, in clause 43, page 31, line 25, at end insert—

“(5) This section shall, subject to subsection (6), cease to have effect at the end of the period of three years beginning with the day on which this Act is passed.

(6) The Treasury may by regulations provide that this section shall continue in force for an additional period of up to three years from the end of the period specified in subsection (5).

(7) The power to make regulations under subsection (7) may only be exercised once.

(8) No regulations may be made under subsection (7) unless a draft has been laid before and approved by a resolution of the House of Commons.”

This amendment sunsets the provisions of Clause 45.

Government amendment 80.

Amendment 64, in clause 47, page 33, line 7, at end insert—

“(5) This section shall, subject to subsection (6), cease to have effect at the end of the period of three years beginning with the day on which this Act is passed.

(6) The Treasury may by regulations provide that this section shall continue in force for an additional period of up to three years from the end of the period specified in subsection (5).

(7) The power to make regulations under subsection (7) may only be exercised once.

(8) No regulations may be made under subsection (7) unless a draft has been laid before and approved by a resolution of the House of Commons.”

This amendment sunsets the provisions of Clause 47.

Government amendment 81.

Amendment 22, in clause 48, page 33, line 29, at end insert—

“(5A) No regulations may be made under section 47 unless a draft has been laid before and approved by a resolution of the House of Commons.”

Government amendment 23.

Amendment 61, page 33, line 31, leave out “applies” and insert

“or section (Additional regulations requiring the affirmative procedure (Amendment 2)) apply”.

This amendment is consequential on NC33.

Amendment 46, in clause 51, page 34, line 39, leave out second “appropriate” and insert “necessary”.

This amendment provides that the power to make regulations about VAT customs duty and excise duty in consequence of UK withdrawal from the EU is only exercised when it is necessary to do so.

Government amendment 82.

Amendment 10, page 35, line 1, leave out paragraph (a).

This amendment prevents regulations under Clause 51 from making any provision as might be made by an Act of Parliament.

Amendment 67, page 35, line 2, after “Act”, insert “other than provision creating a delegated power”.

This amendment removes the power for regulations made under Clause 51 to create further delegated powers (tertiary legislation).

Amendment 47, page 35, line 4, at end insert—

“(c) may not be made after 29 March 2021.

(2A) The Secretary of State may by regulations amend the date in paragraph (1)(c) to ensure that the day specified is the day that any transition period related to the United Kingdom’s withdrawal from the European Union comes to an end.

(2B) A statutory instrument containing regulations under subsection (2A) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

This amendment inserts a sunset provision that disallows any regulations to be made under Clause 51 after 29 March 2021, while also allowing the Secretary of State to alter that date, by regulations subject to the affirmative procedure, in the event that this is not the date on which any transition period following the United Kingdom’s withdrawal from the European Union comes to an end.

Amendment 48, page 35, line 10, after “section” insert “(c) may not be made after 29 March 2021”, apart from regulations under subsection (2A).”

This amendment is consequential to Amendment 47.

Amendment 49, page 35, line 25, after “apply” insert “(c) may not be made after 29 March 2021”, apart from regulations under subsection (2A).”

This amendment is consequential to Amendment 47.

Amendment 65, page 35, line 38, at end insert—

“(10) This section shall, subject to subsection (11), cease to have effect at the end of the period of three years beginning with the day on which this Act is passed.

(11) The power to make regulations under subsection (10) may only be exercised once.

(12) No regulations may be made under subsection (10) unless a draft has been laid before and approved by a resolution of the House of Commons.”

This amendment sunsets the provisions of Clause 49.

Government amendment 83.
(11) The Treasury may by regulations provide that this section shall continue in force for an additional period of up to three years from the end of the period specified in subsection (10).
(12) The power to make regulations under subsection (11) may only be exercised once.
(13) No regulations may be made under subsection (11) unless a draft has been laid before and approved by a resolution of the House of Commons.”

This amendment sunsets the provisions of Clause 51.

Amendment 50, in clause 54, page 37, line 5, leave out second “appropriate” and insert “necessary”.
This amendment ensures that regulations making consequential and transitional provision may only be made when necessary.

Amendment 51, page 37, line 14, leave out “appropriate” and insert “necessary”.
This amendment ensures that regulations making consequential and transitional provision may only be made when necessary.

Amendment 2, in clause 55, in clause 55, page 38, line 15, leave out from “force” to end of line 16 and insert
“in accordance with the provisions of section (EU Customs Union and pre-commencement requirements) (7).”
This amendment is consequential on NC1.

Amendment 13, page 38, line 15, leave out from “force” to end of line 16 and insert
“in accordance with the provisions of section (Preparedness for a customs union with the European Union) (5)”.
This amendment is consequential on NC1.1.

Amendment 20, page 38, line 15, leave out from “force” to end of line 16 and insert
“in accordance with the provisions of section (Implementation of a customs union with the EU as a negotiating objective) (7)”.
This amendment is consequential on NC1.

Amendment 5, page 38, line 17, leave out paragraphs (a) to (d) and insert—
“(a) section (Pre-commencement impact assessment of leaving the EU Customs Union), and”.
This amendment is consequential on NC6.

Amendment 52, page 38, line 17, after “(2)”, insert “and (2A)”.
This amendment paves the way for Amendment 53.

Amendment 6, page 38, line 24, leave out subsection (2).
This amendment is consequential on NC6.

Amendment 3, page 38, line 32, at end insert—
“(2A) No regulations may be made for the purpose of appointing a day for the coming into force of paragraph 1 of Schedule 7 (replacement of EU customs duties) unless a draft has been laid before, and approved by a resolution of, the House of Commons.”
This amendment requires regulations commencing paragraph 1 of Schedule 7 to be subject to the affirmative procedure.

Amendment 4, page 38, line 32, at end insert—
“(2A) No regulations may be made for the purpose of appointing a day for the coming into force of any provision in Part 3 (amending or superseding EU law relating to VAT) unless a draft has been laid before, and approved by a resolution of, the House of Commons.”
This amendment requires regulations commencing provisions in Part 3 to be subject to the affirmative procedure.

Amendment 28, page 38, line 32, at end insert—
“(2A) Regulations under subsection (2) may not be made until the Secretary of State has consulted with the Scottish Ministers on the effect of deviating from EU levels of import duties in relation to—
(a) preferential rates,
(b) dumping of goods and foreign subsidies,
(c) international disputes,
(d) replacement of EU trade duties.”

This amendment would require the UK Government to consult Scottish Ministers before deviating from EU levels of import duties in relation to (a) preferential rates (b) dumping of goods and foreign subsidies (c) international disputes (d) replacement of EU trade duties.

Amendment 29, page 38, line 32, at end insert—
“(2A) The following provisions come into force on such day as the Secretary of State may be regulations under this section appoint—
(a) section 41 (abolition of acquisition VAT and extension of import VAT),
(b) section 42 (EU law related to VAT), and
(c) section 43 and Schedule 8 (VAT amendment connected with withdrawal from EU).

(2B) Regulations under subsection (2A) may not be made until the Secretary of State has consulted with the Scottish Ministers on—
(a) the effect of leaving the EU VAT area on the lawful importation of goods into the United Kingdom from the European Union, and
(b) the effect of abolishing acquisition VAT and extending import VAT on the lawful importation of goods into the United Kingdom from the European Union.”

This amendment would require the UK Government to consult with Scottish Ministers before leaving the EU VAT Area before any system of upfront import VAT could be applied.

Amendment 31, page 38, line 32, at end insert—
“(2A) Regulations under subsection (2) may not be made until the Secretary of State has laid before the House of Commons an impact assessment that considers the effect on Scotland of deviating from EU levels of import duties in relation to—
(a) preferential rates,
(b) dumping of goods and foreign subsidies,
(c) international disputes,
(d) replacement of EU trade duties.”

This amendment would require the UK Government to make a Scottish impact assessment on the effects of deviating from EU levels of import duties in relation to (a) preferential rates (b) dumping of goods and foreign subsidies (c) international disputes (d) replacement of EU trade duties.

Amendment 53, page 38, line 32, at end insert—
“(2A) The following provisions come into force on such day as the Secretary of State may be regulations under this section appoint—
(a) section 41 (abolition of acquisition VAT and extension of import VAT),
(b) section 42 (EU law related to VAT), and
(c) section 43 and Schedule 8 (VAT amendment connected with withdrawal from EU).

(2B) Regulations under subsection (2A) may not be made until the Secretary of State has laid before the House of Commons an impact assessment that considers—
(a) the effect of leaving the EU VAT area on the lawful importation of goods into the United Kingdom from the European Union, and
(b) the effect of abolishing acquisition VAT and extending import VAT on the lawful importation of goods into the United Kingdom from the European Union.”

This amendment would require the UK Government to make an impact assessment on the effects of leaving the EU VAT Area before any system of upfront import VAT could be applied to goods lawfully being imported into the UK from the European Union under EU Law.

Amendment 7, page 38, line 34, at end insert—
This amendment is consequential on NC6.

Amendment 15, in schedule 4, page 58, line 2, after “consumption”, insert “by independent customers”.

This amendment requires the comparable price for the purposes of determining the normal value to be assessed with respect to consumption by independent customers.

Amendment 16, page 58, line 4, at end insert “sub-paragraphs (2A) to (2L) and with”.

This amendment paves the way for Amendment 17.

Amendment 17, page 58, line 6, at end insert—

“(2A) For the purposes of sub-paragraph (2) the following shall apply.

(2B) Where the exporter in the exporting country does not produce or does not sell the like goods, the normal value may be established on the basis of prices of other sellers or producers.

(2C) Prices between parties which appear to be associated or to have a compensatory arrangement with each other shall not be considered to be in the ordinary course of trade and shall not be used to establish the normal value unless it is determined that they are unaffected by the relationship.

(2D) Sales of the like goods intended for consumption in the exporting foreign country or territory shall normally be used to determine the normal value if such sales volume constitutes 5% or more of the sales volume exported to the United Kingdom, but a lower volume of sales may be used when, for example, the prices charged are considered representative for the market concerned.

(2E) When there are no or insufficient sales of the like goods in the ordinary course of trade, or where, because of the particular market situation, such sales do not permit a proper comparison, the normal value shall be calculated on the basis of—

(a) the cost of production in the country of origin plus a reasonable amount for selling, general and administrative costs and for profits, or

(b) the export prices, in the ordinary course of trade, to an appropriate third country, provided that those prices are representative.

(2F) Sales of the like goods in the domestic market of the exporting foreign country or territory, or export sales to a third country, at prices below unit production costs plus selling, general and administrative costs shall be treated as not being in the ordinary course of trade by reason of price, and disregarded in determining the normal value, if it is determined that such sales are made within an extended period in substantial quantities, and are at prices which do not provide for the recovery of all costs within a reasonable period of time.

(2G) The amounts for selling, for general and administrative costs and for profits shall be based whenever possible on actual data pertaining to production and sales, in the ordinary course of trade, of the like product by the exporter or producer under investigation.

(2H) When it is not possible to determine such amounts on the basis prescribed in sub-paragraph (2G), the amounts may be determined on the basis of—

(a) the weighted average of the actual amounts determined for other exporters or producers subject to investigation in respect of production and sales of the like product in the domestic market of the country of origin,

(b) the actual amounts applicable to production and sales, in the ordinary course of trade, of the same general category of products for the exporter or producer in question in the domestic market of the country of origin,

(c) any other reasonable method, provided that the amount for profit so established shall not exceed the profit normally realised by other exporters or producers on sales of products of the same general category in the domestic market of the country of origin.

(2I) If the TRA determines that it is not appropriate to use domestic prices and costs in the exporting country due to the existence in that country of significant distortions, the normal value shall be constructed exclusively on the basis of costs of production and sale reflecting undistorted prices or benchmarks, subject to the following provisions.

(2J) “Significant distortions” for this purpose means distortions which occur when reported prices or costs, including the costs of raw materials and energy, are not the result of free market forces because they are affected by substantial government intervention.

(2K) The TRA shall use the corresponding costs of production and sale in an appropriate representative country with a similar level of economic development as the exporting country, provided the relevant data are readily available; and, where there is more than one such country, preference shall be given, where appropriate, to countries with an adequate level of social and environmental protection.

(2L) If such data are not available, the TRA may use any other evidence it deems appropriate for establishing a fair normal value, including undistorted international prices, costs, or benchmarks; or costs in the exporting country to the extent that they are positively established not to be distorted.”

This amendment makes further provision on the face of the Bill about how the normal value and the comparable price are to be determined in certain circumstances.

Amendment 18, page 58, line 6, at end insert—

“(2M) A fair comparison shall be made between the export price and the normal value.

(2N) If the TRA determines that it is not appropriate to use domestic prices and costs in the exporting country, provided the relevant data are readily available; and, where there is more than one such country, preference shall be given, where appropriate, to countries with an adequate level of social and environmental protection.

(2O) Where the normal value and the export price as established are not on such a comparable basis, due allowance, in the form of adjustments, shall be made in each case, on its merits, for differences in factors which are claimed, and demonstrated, to affect prices and price comparability.”

This amendment provides for fair comparison between the export price and the normal value.

Amendment 19, page 58, leave out lines 8 to 15 and insert—

“(a) to provide guidance with respect to the application of sub-paragraphs (2) to (2O).”

This amendment replaces the provision for definitions of key terms and the determination of related matters in individual cases with guidance about the application of the existing provisions and those contained in Amendments 17 and 18.

Amendment 23, page 58, line 12, and end insert—

“(v) specified cases where it is not appropriate to use the price in paragraph 2(a) including details on determining normal value in the presence of state distortions and non-market economy situations.”

This amendment would provide certainty by placing a marker in primary legislation to ensure that secondary legislation will clarify how, in anti-dumping investigations, the TRA will calculate the level of dumping for cases where the domestic prices of the alleged dumped imports cannot be used.

Government amendments 103 to 112.

Amendment 24, page 76, line 12, at end insert—

“25A (1) The TRA shall, in determining the amount which it is satisfied would be adequate to remove the injury described in paragraph 14(3)(b) or 18(4)(b), take account of all elements of the material injury being caused to the UK industry, including, but not limited to, the impact of reduced sales volumes, price suppression and curtailment of investment. Regulations may make further provision for this purpose.”
I shall speak, as I like to think I always do, with openness, frankness and honesty. When I became a Business Minister in David Cameron’s Government in 2015, I would be the first to admit that I did not know the finer details of how many of our manufacturing industries and businesses actually worked. I knew about supply chains and their value, but I could not claim, in any way, shape or form, to be particularly familiar with them. I relished my brief, though, so I was soon enmeshed in the manufacturing sector in particular. For example, I had responsibility for the automotive sector, aerospace and, of course, the steel industry, which many Members will remember was having a particularly difficult time. I soon became not quite an expert, but I certainly knew my brief. I understood how supply chains worked, the value of frictionless trade and what this thing called “just in time” was really all about. I had never actually seen it, though, until Friday, when I went to the Toyota factory at Burnaston, which is just outside Derby. I would make it compulsory for every single Member to go to Toyota—that could go to a skilled manufacturer in Swindon, or to Nissan in Sunderland, as I did shortly after the EU referendum—so that they could begin to understand what a supply chain is, why it relies on frictionless borders and what “just in time” means.

Let me give Members a bit of history about that remarkable Toyota plant just outside Derby. It is actually a legacy to Margaret Thatcher. It opened at the beginning of the 1990s. Some of us are old enough to remember those times and what had happened in many of our traditional manufacturing industries. My right hon. Friend the Member for Loughborough (Nicky Morgan), who is sitting next to me, has a business in her constituency called Brush. It is a long-standing business that has provided good-quality jobs for generations. I had Siemens in my constituency. At one time, I had a number of miners who worked in local pits in north Nottinghamshire and in Derbyshire. In due course, those pits closed, as did Siemens.

When we talk about Brexit, people extrapolate all sorts of things from the vote. One thing that definitely occurred—I know that it occurred for people in my constituency—was that a number of people voted leave because they felt left behind by what we call this global world and the global way of doing business. These people used to work, often down the pits in Nottinghamshire—I am from Worksop, so I understand the sort of lives that miners had and I have no romantic attachment to the coal mining industry—and in factories such as Siemens in high-quality jobs. Those jobs invariably paid good money, but they also added even more value to people’s lives. It was not just about the fact that it was work, which is, in itself, the right thing to do; it was not just the wages, which, in the deep coal mines in Nottinghamshire and at Siemens, were very good; and it was not just the wages, which makes up 20% of our economy.

When we talk about Brexit, people extrapolate all sorts of things from the vote. One thing that definitely occurred—I know that it occurred for people in my constituency—was that a number of people voted leave because they felt left behind by what we call this global world and the global way of doing business. These people used to work, often down the pits in Nottinghamshire—I am from Worksop, so I understand the sort of lives that miners had and I have no romantic attachment to the coal mining industry—and in factories such as Siemens in high-quality jobs. Those jobs invariably paid good money, but they also added even more value to people’s lives. It was not just about the fact that it was work, which is, in itself, the right thing to do; it was not just the wages, which, in the deep coal mines in Nottinghamshire and at Siemens, were very good; and it was not just the trade and the skills that they conveyed—it was also that feeling of community and being valued. It was about all those skills that they conveyed—it was also that feeling of being valued. It was about all those qualities that they conveyed.
manufacturing business works and how it needs frictionless trade for the supply chains to work. Shame on you if you have not taken the opportunity to go to those places that might be outwith your constituency, but where your constituents work.” I say that very gently—

Charlie Elphicke: Will my right hon. Friend give way?

Anna Soubry: In a moment.

The reality, which is faced in the White Paper, is that if we do not deliver frictionless trade in the way in which companies such as Toyota need and demand, they will simply not be able to operate. Some 81% of Toyota cars produced at Burnaston are exported into the European Union. And before anybody says, “Well, there will be new markets”—those unicorns that our Government will be chasing in new deals—please understand how the modern manufacturing industry works. Companies such as Toyota already make cars in other parts of the world to satisfy and supply the local market.

Nicky Morgan (Loughborough) (Con): Will my right hon. Friend give way?

Charlie Elphicke: Will my right hon. Friend give way?

Anna Soubry: I will give way to my right hon. Friend for Gainsborough (Sir Edward Leigh) show what is the interest to my right hon. Friend’s speech. I am a former party has championed that sector since 2010—he prefers the country in our manufacturing sector—the Conservative party has championed that sector since 2010—he prefers trade facilitation agreement that was entered into in 2017. was why I set out a detailed plan on how we can have new markets”—those unicorns that our Government will be chasing in new deals—please understand how the modern manufacturing industry works. Companies such as Toyota already make cars in other parts of the world to satisfy and supply the local market.

Nicky Morgan: Does not the intervention on my right hon. Friend made by our hon. Friend the Member for Gainsborough (Sir Edward Leigh) show what is the matter with this Brexit debate? Rather than talking about the detail and the risk to thousands of jobs across the country in our manufacturing sector—the Conservative party has championed that sector since 2010—he prefers trade insults and trade on personalities.

Anna Soubry: Here is a surprise: I completely agree with my right hon. Friend.

Charlie Elphicke: Will my right hon. Friend give way?

Anna Soubry: I will.

Sir Desmond Swayne: Will my right hon. Friend give way?

Anna Soubry: I do not wish to be rude to my hon. Friend but I have read her speeches about the advantages of the single market. She was a huge champion—probably the biggest champion—of the single market. It was Margaret Thatcher who went over to Japan and promised the Japanese that our country would always stay in the single market. On that basis, Japanese business invested billions of pounds in this country.

My hon. Friend attacks me in a wholly unnecessary and really rather foolish way, but I hope that he will speak freely and honestly in our debate and give his assessment of what is facing our country if we do not get Brexit right. It is all well and good for Members to have their ideologically-driven, hard Brexit ideas when they are not able to face up to the reality of what they mean for people in my constituency and the rest of our country.

Charlie Elphicke: I have been listening with great interest to my right hon. Friend’s speech. I am a former remainder and fellow believer in free enterprise, which was why I set out a detailed plan on how we can have frictionless trade using the World Trade Organisation trade facilitation agreement that was entered into in 2017.

My constituents have some questions that I would like to pose to my right hon. Friend. Why is it that so many lorries come in through Dover laden with goods yet so many return empty? Why is there a £100 billion trade surplus for the European Union? Why should we not insist on access to our financial services market after we leave the European Union?

Anna Soubry: I do not wish to be rude to my hon. Friend, but that really is the stuff of madness. Of course we need to export more, but here is the real question
that he should be asking. At the moment, a lorry that comes in from the European Union through Dover will take, at the most, two minutes to go through. If it comes from outside the European Union, the process takes 20 minutes at the least, and at the most—and more typically—it takes two hours. How does that transpose to the manufacturing sector and to the Toyota workers outside Derby—some 3,000 people, with three to five times as many in the supply chains?

I say to my hon. Friend that this, Sir, is the real world. In the real world, when Toyota makes an order for car seats, they are delivered absolutely ready on to the production line within four hours of the order being placed. If we do not deliver frictionless trade, either through a customs union or some magical third way that the Prime Minister thinks she can deliver—good luck to her on that—thousands of jobs will go, and hon. Members sitting on the Government Benches, in private conversations, know that to be the case. What they have said in those private conversations is that the loss of hundreds of thousands of jobs will be worth it if they have said in those private conversations is that the Prime Minister thinks she can deliver—good luck to her on that—thousands of jobs will go, and hon. Members sitting on the Government Benches, in private conversations, know that to be the case. What they have said in those private conversations is that the loss of hundreds of thousands of jobs will be worth it to regain our country's sovereignty—tell that to the people who voted leave in my constituency. Nobody voted to be poorer, and nobody voted leave on the basis that somebody with a gold-plated pension and inherited wealth would take their jobs away from them.

5.30 pm

Sir Desmond Swayne: I have a very successful manufacturer in my constituency abiding by the very disciplines that my right hon. Friend has, rightly, been so effusive about. Imagine, then, my surprise when I discovered that the proprietor and chief executive of this organisation, Col-Tec—one Mike Bailey—was to be my opponent as the UKIP candidate in the New Forest West division.

Anna Soubry: I will take another intervention.

Sir Bernard Jenkin: I think the point that my right hon. Friend did not want to take is that there are plenty of businessmen who are in favour of leaving the European Union.

The point that I wanted to raise with my right hon. Friend is that her whole argument is passionately based on the fallacy that one cannot have just-in-time supply chains crossing international customs frontiers. In fact, that is the way that most of the rest of the world trades. At Toyota in her own constituency—I met Toyota last week—quite a substantial proportion of its componentry arrives from outside the European Union to be bolted on to its cars. She is putting up these completely false fears that just-in-time supply chains are threatened by trading across customs frontiers.

Anna Soubry: I have to say to my hon. Friend that that is absolute codswallop. When I went to Toyota, we were shown exactly the places where the parts had come from. For example, some parts had come from Japan. There was a special arrangement with Japan whereby the parts come into the factory and sit in a bonded warehouse. Those parts number less than 1% of the total. Toyota has 2.5 million parts coming into that factory, and the vast majority come from the European Union—it relies on frictionless trade.

With great respect to my hon. Friend, he is somebody who makes the case that we should be a member of the World Trade Organisation. Let us just get this one straight. If our country joins the World Trade Organisation—[Interruption.] Well, we are a member through our membership of the European Union. If we are a member of the WTO in our own right, we will have to abide by its rules, which say that every member must secure its borders—I repeat, must secure its borders. That does not just mean that our country, when we leave the European Union, must secure its borders, but that the European Union, whether it likes or not, must secure its borders. What does that mean? There will have to be a hard border between Northern Ireland and the Republic of Ireland. It is dishonest and disingenuous for people to stand up and make out that something other than that is the reality.

The White Paper faces up to Brexit reality, and that is what Conservative Members must now do. We have to face that reality, just like I have had to face the reality that we are leaving the European Union. Hon. Members have to do the right thing by their constituents and put trade and business at the heart of Brexit.

Vicky Ford (Chelmsford) (Con): I want to go back to the point about enforcing our border. Some people say that, if we were trading under WTO rules, we would not need to have a border in Ireland, but under the WTO's most-favoured-nation rules, if we did not enforce the border in Ireland, we would be in breach of our agreements with other parts of the world. We would have no right to say, “No border.” Furthermore, if Ireland did not enforce the border with the rest of the UK, it would be in breach of its obligations to the EU, and if the EU did not require Ireland to respect the border, it would be in breach of its obligations across the world. So I thank my right hon. Friend for making that point so clearly.

Anna Soubry: That was a very long but very good intervention.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I have heard exactly the same points from businesses in my community. I have heard the same points about the Northern Ireland-Ireland border, too. That is why I favour staying in a customs union. The White Paper is full of magical thinking, but the amendments tabled by some in the right hon. Lady's party directly contradict what is in the White Paper, because what they really want is a reckless no deal Brexit in which we crash out, with all the damage that will cause.

Anna Soubry: I completely agree. I say to my Government that they are in grave danger of not just losing the plot but losing a considerable amount of support from the people of this country unless we get Brexit right. The people who put their names to those amendments—notably new clause 36 and amendment 73—did so not to be helpful to the Government and to support the White Paper. We know that from their public proclamations, in which they have tried to trash the White Paper.

I made it clear to the Whips and to—well, actually, to the Financial Secretary to the Treasury, for whom I have a lot of time because he is a very good Minister, a very good man and a very good constituency MP. I say that because I have been to his constituency—
Mr Edward Vaizey (Wantage) (Con): That’s your career over, Mel.

Anna Soubry: For the record, that was said by my hon. Friend the Member for Huntingdon (Mr Djanogly). If anyone else had said it, I would have been very rude. [Interruption.] Sorry. Scrub that; it was my right hon. Friend the Member for Wantage (Mr Vaizey)—ever the trouble maker.

This is really serious. I told the Minister that I would not press my amendments to a vote. That is not because I lack courage—in fact, given events, I would like to think I have a bit of courage. Some say I do not have a fear gene at all. Just to remind hon. Members, three people have received custodial sentences for the death threats I have received. I am getting a bit tired of being called a traitor. Certain people on these Benches support a newspaper that, disgracefully, had the temerity to suggest that the Prime Minister of our country might in some way have committed treason by the production of this White Paper. That is outrageous. Right hon. and hon. Members on these Benches really need a bit of a reality check, not just on Brexit but on the way this party is conducting itself and on who they choose to call their friends.

Let me return to why I will not press my amendments to a vote.

Madam Deputy Speaker (Dame Eleanor Laing): Order. Before the right hon. Lady returns to the substance of her remarks, I just point out to her that she has already had 21 minutes of the debate, and—[HON. MEMBERS: “More!”] Order. This is not a music hall. The right hon. Lady is perfectly in order—she has an awful lot of things to deal with and she has taken a lot of interventions—but I know that she will quite soon begin to come to a peroration.

Anna Soubry: By remarkable coincidence, Madam Deputy Speaker. I am coming to the conclusion of my remarks. I want to explain why I will not press my amendments to a vote, as I indicated to the Minister last week. The reason is the production of the White Paper. I will be very frank: the White Paper does not go as far as it should—it is silent on services, which make up 80% of our economy—but I welcome it because it shows that the only intention behind their tabling was malevolent? The fact that they are being maintained at the present time is also an act of malevolence towards the Government by the proposers.

Anna Soubry: I completely agree with my right hon. and learned Friend. Members on the Government Front Bench, and indeed across the House, should be hanging their heads in shame. This is the stuff of complete madness. The only reason the Government have accepted the amendments is that they are frightened of around 40 Members of Parliament—the hard, no deal Brexiteers—who should have been seen off a long time ago. These people do not want a responsible Brexit; they want their version of Brexit. They do not even represent the people who actually voted to leave. The consequences are grave, and not just for this party, but for our country. One has to wonder who is in charge. Who is running Britain? Is it the Prime Minister, or is it my hon. Friend the Member for North East Somerset (Mr Rees-Mogg)? I know where my money is at the moment.

Stephen Doughty: What has really been going on here is that some of these extreme individuals have been threatening the Government, trying to hold them hostage, and saying that they will vote against Third Reading and bring the Government down, to get these bizarre, contradictory amendments through.

Anna Soubry: The hon. Gentleman is absolutely right. It is disgraceful, because this White Paper is a genuine attempt by our Prime Minister to heal the divisions in our party, and indeed the divisions in our country, and take us to a smooth and sensible Brexit that delivers for everybody.

Mr Kenneth Clarke (Rushcliffe) (Con): Does my right hon. Friend agree that, if the Government were guaranteed the support of the Labour party and the Scottish National party against these wrecking amendments, we could finally reveal what a tiny minority of the House of Commons is trying to hold us all to ransom over a reasonable deal with the European Union?

Anna Soubry: My right hon. and learned Friend is right, as ever.

The truth is that both main political parties are now in the grasp of the few who falsely claim to speak for the many. A lack of ability, or perhaps courage, the over-liking of the safety and sanctity of ministerial office or, frankly, just a quiet life, on whichever side of the House, and a guaranteed income for a loyal Back Bencher with a handsome majority, mean that our country is hurting not just towards the extremes of British political life, but over the Brexit cliff, which the overwhelming majority of leavers did not vote for—for indeed, they were promised the precise opposite.

The time has come for the nonsense to be stopped. The time has come for people to show courage and do the right thing by our country. We are leaving the European Union, but we have to leave in such a way that protects jobs and prosperity—and peace in Northern Ireland—for everybody in this country. It is time for people to put aside the ideology and the nonsenses that...
invariably come from not inhabiting the real world. Let us face up to reality, as this White Paper seeks to do, and reject these two ludicrous amendments that the Government have agreed to. In due course, let us wake up to the further reality: we will end up in the single market and the customs union; the only question is when.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): I commend the right hon. Member for Broxtowe (Anna Soubry) for the passion with which she has spoken. She spoke authentically about the care and attention that she has taken to look into the supply chain issues, the just-in-time delivery systems that are the foundation of modern manufacturing in our country. She was not taking an ideological view, which certain Conservative Members, who may guffaw at that, might take, but thinking about the economy: our constituents’ jobs and all the prosperity and tax revenues that pay for the vital public services that we need to keep this country going. The national health service, the education system, housing and local government all depend on a healthy, vibrant economy.

5.45 pm

If we go down the avenue that some of the hard Brexiteers suggest, we will not only jeopardise jobs, but face a decade or more of austerity. The Treasury’s analysis has been revealed and shows that a big black hole emerges in Treasury tax revenues if we leave the customs union and the single market, which, from my point of view, are the absolute minimum of where this country needs to be.

The amendments cover several different issues, but the right hon. Member for Broxtowe touched on the wrecking amendments tabled by the European Reform Group—members of the Conservative hard Brexit crew. She is probably right that there are about 40 of them, and it would be a terrible shame if the Prime Minister, rather than looking at where the equilibrium rests in Parliament—the balance of opinion, which I do not think is for a hard Brexit—were instead to be hijacked and have her agenda taken over by that Trumpian hard Brexit view. Those amendments, particularly new clause 36, which is a clearly a wrecking amendment to the facilitated customs arrangement that the Prime Minister put in the Chequers agreement, are designed to ensure that the Chequers plan lasts for only one week.

I have my issues with the Chequers plan. I think it falls short of that de minimis customs union, EEA, single market position. However, I draw Members’ attention to amendment 73, which goes way beyond the Chequers arrangement. It would provide that if Britain ever entered into any future customs union with whatever territories, we could not have our current smooth VAT acquisition arrangements, whereby we avoid firms having to pay VAT upfront at the border and have frictionless trade, of which VAT is such an important part.

I hope my hon. Friends on the Front Bench as well as Conservative Members are listening to that point, because the ERG’s amendment 73 is a wrecking amendment, which would hurt our economy regardless of the Chequers plan. It goes beyond that and would undermine our customs arrangements more broadly. Even if the Government want to accept that, I implore Labour Front Benchers to oppose amendment 73 in particular.

Mr Jacob Rees-Mogg (North East Somerset) (Con): The hon. Gentleman misunderstands amendment 73. One of the other amendments, which the Government have also accepted, would stop them having a Henry VIII power for a new customs union. If a new customs union were to be introduced by legislation, amendment 73 could be brought in under that customs arrangement. It simply retains power for this House.

Mr Leslie: We have got the hon. Gentleman’s measure now. He used to be an entertaining curiosity, but no longer. He represents a major present threat to the future of our economy and our constituents’ jobs. He is trying to scupper our smooth frictionless arrangements for businesses that currently have to pay VAT but can do so because we treat it as a matter of dispatches and arrivals, rather than its having to be paid upfront. By deleting paragraph 14 of schedule 8, the hon. Gentleman would hole future VAT arrangements below the water line.

Mr Jonathan Djanogly (Huntingdon) (Con): Are we not seeing here an insertion of further red lines when we have enough of them already?

Mr Leslie: Exactly. It would be sensible of the Government to read the runes and start thinking about where there is a consensus in Parliament for a positive way forward rather than constantly laying down or accepting more red lines, or caving in to threats from those who are very loud but represent a tiny minority viewpoint.

New clause 2 is really important because it would preserve our current role of participation in the EU VAT area. I hope hon. Members will see the purpose of that. I think we currently have 25 million customs declarations paying VAT at the border. That will potentially rise to 255 million. Imagine the bureaucracy, the cost of administration and the paperwork for our VAT system if those declarations also have to be made at the border. Amendment 73 would end up taking out our participation. I intended to raise this issue as a matter of debate, but perhaps I should press new clause 2 to a vote, because the EU VAT area is absolutely crucial to avoiding a hard border.

It is important that we pick out the problems with the Chequers arrangement. I understand that the Prime Minister is trying to find some sort of balance, but I am afraid to say that the notion of a facilitated customs arrangement just does not quite get us to where we need to be. I am delighted with the acceptance of how important a common rulebook for goods is to our country. That recognition of economic reality is important, but it is only one piece of the jigsaw that we need. For instance, we need to ensure that the 80% of our economy in the services sector is not completely abandoned and that we lose out as a result.

Heidi Allen (South Cambridgeshire) (Con): I would just like to reflect on how refreshing it is—it is probably what the majority of the country wants to see—that sensible people are working cross-party to try to find a way forward in this dreadful mess. I agree with the hon. Gentleman on the Chequers arrangement. It is an opening bid to the EU, it is not, saying, “Okay, come back and tell us which pieces you are happy or unhappy with.”? I am interested in whether he knows Labour’s position
on the wrecking amendments, specifically amendments 73 and 36. Will he and his party be joining us in voting against them?

**Mr Leslie:** Well, I will certainly want to vote against amendment 73, but my hon. Friends will make their own remarks in their own time. I do not know what their intentions are, as I have not had a chance to hear from them. Intuitively, I doubt very much that my hon. Friends, knowing what the hon. Member for North East Somerset (Mr Rees-Mogg) is up to, knowing where the members of the ERG come from on the political spectrum—the hard right Brexit perspective—and knowing how important the economy is to the future of this country, will abstain on amendment 73.

**Stephen Doughty:** It is very clear, as my hon. Friend says, who those Members are working with and what their agenda is. They are working with the likes of Nigel Farage and others who would like to see us crash out, so that they can deregulate the economy and change it into a Singapore-style tax haven on the edge of Europe where they can pursue their right-wing fantasies.

**Mr Leslie:** Yes, indeed.

It is helpful if we view the two Bills we are considering today and tomorrow as a piece, as they interrelate with one another. Many of the amendments tabled for the Trade Bill tomorrow on a customs union are also on today's amendment paper. I say gently to the Government, “Nice try with your facilitated customs arrangement, but it is not going to fly for a number of different reasons.” I urge the Chancellor and the Minister to stop putting down red lines. They will only find that they come back and embarrass them when they have to accept a customs union.

Let me quickly go into detail on why a customs union really will have to apply in this situation. There may be Conservative Members who agree with me on this point. The facilitated customs arrangement may well apply if we have a free trade agreement with the EU, but only a customs union gets rid of what is known as the rules of origin requirements—the local content thresholds needed to prove whether an FTA is in place to qualify for preferential tariff arrangements. Under a customs union, we do not have to have rules of origin checks. That is a massive advantage of the customs union.

**Sir Bernard Jenkin:** That is not actually correct. It is quite common in a free trade agreement to have what is known as an auto-apt, so that there can be frictionless arrangements, for example for the motor industry. The same could apply for aerospace.

**Mr Leslie:** There are certain manufactured goods where they have that, but across the piece of a whole economy we do not see a circumstance where rules of origin have been abolished in the way the hon. Gentleman describes. Rules of origin are really quite burdensome for manufacturers to prove. They have to count the content and document where components come from. They then have to lodge those documents as they cross the border. My point is that the facilitated customs arrangement, with its rules of origin requirements, will have friction at the border. For that reason, we are going to have to accept that a customs union is preferable.

Vicky Ford: On the rules of origin, the hon. Gentleman may wish to read the pan-Euro-Mediterranean convention on rules of origin, which covers a broader area than just the customs union. It is possible to have agreement on rules of origin outside the customs union.

**Mr Leslie:** My experience is very different in terms of the information I have. If we look across the range of goods as a whole, there are problems with rules of origin outside the customs union.

The second problem with the facilitated customs arrangement is that it breaches article 3 of the General Agreement on Tariffs and Trade—GATT—which is part of the World Trade Organisation rules. Article 3 is the national treatment principle, which says that we should not treat imported goods unfairly relative to domestically produced goods. Because of the track and trace requirements in the facilitated customs arrangement architecture, we will have to treat imported goods differently to those produced and made in the UK.

The third problem is that if we want to make free trade agreements with the rest of the world, the Government are shooting themselves in the foot with the facilitated customs arrangement because article 24 of GATT states that we have to eliminate substantially all trade barriers between constituent trade authorities. If the UK is having to collect tariffs on behalf of the EU, that introduces a barrier that will have to fetter future free trade agreements. I do not particularly believe we can get better FTAs beyond the customs union: I think our leverage as part of the EU is superior; but on a technical level a facilitated customs arrangement, I am afraid to say, is just not going to wash.

Hilary Benn (Leeds Central) (Lab): On the important issue of rules of origin, which my hon. Friend has just raised, we have heard the argument from some people that it is not a problem. If it is not a problem, then why do the Government, in paragraph 23 of the White Paper, state that the UK is proposing “no routine requirements for rules of origin between the UK and the EU”?

**Mr Leslie:** Exactly. Presumably the Government think they can negotiate on that between the UK and the EU bilaterally, but actually that is not the way that this works. Under the WTO arrangements, we have to make sure we have the same application of rules as we would in other arrangements around the world.

A customs union is not just preferable; it is the only realistic option. The idea that the European Union is going to say, “Fine, we’re happy with you splitting the four freedoms” is for the birds. That is not going to happen, especially as populism is running riot worldwide. The EU feels very firmly that it wants to defend the international rules-based system. It feels very firmly that the four freedoms of the single market and the customs union are integral to it. The idea that Switzerland provides an example, when it has endured decades of constant treaty negotiations year after year after year—that is not a model Britain should seek to parallel.

The idea that we should simply hope that by focusing on the withdrawal agreement we can secure our future is also a fallacy. The notion that we will be able just to staple on to the back of this arrangement, on a few sides of A4, political statements on our future relationship
with the EU is deeply dangerous. We have to make sure that we settle these issues—I know the former Brexit Secretary agrees on this particular point. The idea that what is said on one side of exit day will necessarily be enforced on the other side of exit day is just not true. There is no legal enforceability to any warm words about our future relationship. These issues have to be set out at this particular stage.

Wera Hobhouse (Bath) (LD): Does the hon. Gentleman not agree that it is time we listen to the people who run businesses, rather than sit in our comfortable seats telling people what to do?

Mr Leslie: Yes, and the problem we have had is that ideology and populism have been running this country for the last few years. We need to stop that and assert common-sense economic reality much more. As the right hon. Member for Broxtowe was saying in her speech, this transcends the political parties. This is not a time to be playing party political games of advantage. Our country is absolutely at stake here.

6 pm

I am afraid to say to the Government that it is only a matter of time before the EU, probably quite politely, says, “Nice try with your facilitated customs arrangement. Nice try with Chequers, but you are going to have to recognise the reality”—that is, the building blocks that exist for all their partnerships and arrangements with the rest of the European Union. To my mind, that means the customs union, the EEA, potentially EFTA, and the single market. It would be a truly backward step for us in any way to undermine the ability of the UK to participate in a customs union, so we need these VAT rules to be put in place and continued. I also hope that my Front Benchers will see, certainly tomorrow, the opportunity to secure support for a customs union, which is growing by the hour in this House.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order. It will be obvious to the House that a great many people want to speak. We have three hours of debate left, but we cannot continue with speeches of the length that we want to speak. We have three hours of debate left, but we cannot continue with speeches of the length that we want to speak. We have three hours of debate left, but we cannot continue with speeches of the length that we want to speak. We have three hours of debate left, but we cannot continue with speeches of the length that we want to speak.

Mr David Davis (Haltemprice and Howden) (Con): For the convenience of members of the Gallery, I should start by saying that this is not a resignation statement—that was last week. This week is a return to my normal business, as an ordinary Back Bencher carrying out the scrutiny of business. I thought that it would be rather mundane until I walked into what appears to be this rhetorical firefight that we have had so far in the debate.

Before I come back to that, the Taxation (Cross-border Trade) Bill and its partner, the Trade Bill coming tomorrow, are vital pieces of legislation. In the newspapers at the weekend, I read that some people were so cross with the White Paper that they were proposing to vote against this. Well, I do not think that they can be much more cross than I am with the White Paper, but I urge them not to vote against it. These are vital pieces of legislation and they are necessary, whether we have the Government’s White Paper policy, my old White Paper policy, or a non-FTA that some have talked about or indeed even the World Trade Organisation outcome. In every single case, we need these Bills and therefore I will be supporting them.

I want to speak directly to the new clause proposed by my right hon. Friend the Member for Broxtowe (Anna Soubry). I will do so without impugning anybody’s motives or questioning whether somebody is acting in the national interest or not and I will not be firing off any gibe. I am not quite sure who she was referring to when she talked about having an excessive attachment to public office, but I do not think it was me. The simple truth is that this is a vitally important argument. It is central to the whole question of the economic aspect of Brexit—Brexit is not just economic; it is democratic as well, but it is central to that—and I will put to one side in my arguments the fact that being out of the customs union was in the Conservative party’s manifesto and therefore, in theory at least, one we are committed to.

The arguments go right to the heart of the principal issues. The proponents of the new clauses have a clear belief in the national economic interest, but they clearly believe that being outside the customs union will lead to a precipitate loss of trade and that the loss of the ability to make trade deals matters less than that potential loss of trade. That is the core of the argument. It is pretty straightforward in that respect.

Let us look at some facts. Back in 1999, the United Kingdom—we are talking about the customs union, so this is about goods—was exporting 60% of its goods to the European Union and 40% to the rest of the world. Since then, that has gone down by approximately 1% per annum, so it is now about 45% to the European Union and the rest to the rest of the world. Pretty much by the end of this decade, it is likely to be 60:40 in favour of the rest of the world, so because it takes away the right to our own commercial policy, the prospect of staying inside the customs union favours the shrinking minority of our trade over the expanding, fast-growing majority of that trade. That is the very simple, fundamental, initial point that we should take on board. It also presumes that being outside the customs union will significantly damage trade because there will be friction at the border.

Mr Kenneth Clarke: One of the most remarkable features of the last 20 years has been the globalised economy and the very rapid growth and emergence of major new markets, so inevitably the balance of our trade was going to grow with them and decline with the European Union. We want to remain as attractive to investors from the new economies as to the old. It does us no advantage in our dealings with China, Brazil and India to damage the value of our access to the European market. Outside events have altered this balance; it is not a failing of our EU arrangements.

Mr Davis: My right hon. and learned Friend was being uncharacteristically inattentive, because that is exactly what I said: because of the growth in world trade, that is what is going on. He is exactly right that we should take a great interest in the fast growth in
world trade because we are best placed, probably of most countries in the world, to take the most advantage of that. Also within his comment was the presumption, which I was about to address, that friction in our trade with the European Union—low friction, but friction—will cause enormous damage.

John Redwood (Wokingham) (Con): Will my right hon. Friend give way?

Mr Davis: I will give way, but I will have to constrain interventions because of the time limit.

John Redwood: Will my right hon. Friend confirm that many successful manufacturing businesses in Britain today have these just-in-time supply chains bringing in large quantities of raw material and component from outside the EU through a system of authorised economic operators, electronic manifests and the settlement of any bills not at the port? There are not people sitting in boxes in the port taking the money.

Mr Davis: My right hon. Friend is exactly right. It is an issue that I will return to in a second, but before I do I want to make a point about friction. The presumption in all this is that we have a magical, frictionless system at the moment. Actually, we will have seen on our television screens that that is not true. This entire House will have watched Operation Stack in progress over various years. Operation Stack is what we do when one of the ports gets locked up for one reason or another—a strike in France or whatever. It has been operated 74 times in 20 years. In 2015, it took up 31 days of friction, and our businesses—the just-in-time businesses and perishable goods businesses—all coped with it, so let us not frighten ourselves by talking about friction. Nobody wants it and nobody likes it, but they cope with it. My hon. Friend the Member for Dover (Charlie Elphicke) pointed out that with World Trade Organisation facilitation, we will actually minimise the friction on trade through these ports, as was reinforced by my right hon. Friend the Member for Wokingham (John Redwood).

Secondly, while people understandably focus on some of the pressure points—most particularly Dover, which we heard about a second ago—they forget that there is strong competition between the ports on the North sea and the ports on the channel. Zeebrugge, Antwerp and Rotterdam all want to increase their throughput at the cost of the Calais-Dover crossing. They are already preparing for increases in throughput in their own areas when we are outside the EU and preparing for the increase in work—because there will be some increase in work—but again, as my right hon. Friend said, it will not happen at the border. It will happen before they get there or after they pass through it, so our so-called dependency on French ports will turn out to be illusionary.

Thirdly, in support of the arguments that any friction at the border is unacceptable we hear lots of talk about supply chains. We had it from my right hon. Friend the Member for Broxtowe who proposed this new clause. The simple truth is that this ignores the fact, as my hon. Friend the Member for Harwich and North Essex (Sir Bernard Jenkin) pointed out, that lots of international supply chain operations operate across borders where there are customs, tariff and currency arrangements. I happen to know one of them very well, because I operated a business across just such a border myself—between Canada and the USA. [Hon. Members: “Thirty years ago.”] I went back last year.

Anna Soubry: Will my right hon. Friend give way?

Mr Davis: No, I will not give way.

I went back last year to look at it again, and yes it was 15-year-old technology. It could be better now; it could be faster. What happens in Detroit, the centre of the American motor industry? In Ontario, across a very difficult and constrained border, tougher than Dover, there is an entire industry supplying parts, components and engines for that motor car industry. It operates across a border that has tariffs on it, too.

Kevin Hollinrake (Thirsk and Malton) (Con): Will my right hon. Friend give way?

Mr Davis: No, if my hon. Friend will forgive me. I am short of time.

The simple truth is they operate even where there are tariffs, and we are proposing a non-tariff arrangement—there would be no tariffs here; the primary concerns will not be the collection money but other things.

Anna Soubry: Will my right hon. Friend give way?

Mr Davis: No, if my right hon. Friend will forgive me. I am short of time.

The issues that remain at the border will depend on the customs policy we decide on, which very clearly will alter how that border operates. It will include rules of origin, as has already been pointed out; tariff-paid status, if we are in the future customs arrangement, which is more difficult than rules of origin; and regulatory compliance. None requires action at the border. All can be dealt with by electronic pre-notification or pre or post-audit at either origin or destination.

Without doubt, the most difficult issue in the negotiations as they relate to borders has been Northern Ireland. There is no way, however, that a UK Government are ever going to install a hard border in Northern Ireland—that is as plain as a pikestaff. No UK Government would risk the peace process, which has been going on for decades. Neither would the Irish Government. I cannot imagine in a century that an Irish Government would do that either. What many people forget, however, are that there is already a border there—there is a currency border, a VAT border, an excise border, and there are other tax borders. They are operated north and south of the border by the UK and the Irish tax and customs collection organisations, operating together using intelligence-led intervention.

Much is made of the 300 border crossings. One of the outstanding issues with being outside the customs union is, as somebody said, the issue of rules of origin, but in Northern Ireland, while there may be 300 border crossings, there are only six ports. Rest-of-world imports can actually be surveilled and controlled very straightforwardly. This issue, which has become much more difficult since it was politicised—it was actually working quite well in the negotiations before it was politicised—is eminently soluble, by technical means and co-operation between the two states.
customs union would somehow be bad for Britain and the former Brexit Secretary believes that any kind of amendment 73 and new clause 36. We have heard why the common external tariff. I shall also speak against conducting an impact assessment on the effect of leaving my new clause 6 and amendment 9, which relate to the evidence he has put to the House today.

The risk and costs of having a customs border are less than is being claimed, and what we would give up to join a customs union is much more than is imagined. The EU is a slow and not very effective negotiator of free trade agreements. We keep hearing about its size and negotiating power, but the fact that it represents 28 different countries means it comes up with sub-optimal outcomes all the time, and actually we are the country that does least well out of the EU’s free trade agreements. They almost never involve services, for example, which are our primary trade. The EU is a slow and not very effective negotiator of trade deals.

We will be smaller, of course, but many countries that are smaller than us do very, very good trade deals. Switzerland is an obvious example. Its deals are much more effective than ours. By the way, we are bigger than Switzerland put together, so we have constituencies where workers may depend on the UK’s having good trade defences. Under the facilitated border, which took 10 years to construct, cost £10 billion, deals with facial recognition and involves 100 companies in the automotive sector of Detroit and nothing more? Can you imagine what that trade will become more costly and burdensome, and our businesses and manufacturers will lose out for? I certainly believe in standing up for Yorkshire manufacturing.

The former Brexit Secretary also seemed to be arguing that, because companies trade across borders that involve customs checks, we should rip up our customs-free borders. He is saying that because those trades take place, it is okay somehow to add costs to our trading process. Why on earth would we do that? Why on earth would we add burdens to businesses that do not face them at the moment? Why on earth would we make the process difficult and more costly for them? It is not that we think all trade will stop—of course it will not—but the point is that that trade will become more costly and burdensome, and our businesses and manufacturers will be at a disadvantage compared with their European neighbours and competitors. That is unfair on our manufacturers, which we in this House should be standing up for. I certainly believe in standing up for Yorkshire manufacturing.

The former Brexit Secretary also seemed to be arguing that, because we coped with Operation Stack before, let us have more delays again. Yes, we can cope, but Operation Stack cost businesses coping with those long delays a fortune.

Yvette Cooper: Let me just deal with new clause 36. If the Government are saying that they will accept it, I do not understand how that does not rip a hole right through their White Paper. New clause 36 explicitly states that we cannot collect customs and excise duties at the border on behalf of another country unless that country is going to do the same for us, but the White Paper states:

However, the UK is not proposing that the EU applies the UK’s tariffs and trade policy at its border for goods intended for the UK.”
That is the opposite of what is said in new clause 36. Have the Government ripped up their own White Paper in the space of a couple of days? This is a chaotic approach to a matter that is so serious, and it shows a ridiculous wobbling in the face of a small group of people who I do not believe speak for the majority in this country.

Mr Kenneth Clarke: That phrase in the White Paper describes a perfectly sensible arrangement. If we adopt the new clause, 27 other countries will face the prospect of searching for new technology and setting up their own bureaucratic arrangements to accommodate the Brexiteers in my party. We urgently need these EU negotiations to start with partners who can rely on us to stick to a consistent line, and it could be very damaging to change the basic position on such an important matter within one week.

Yvette Cooper: I think that the right hon. and learned Gentleman is right on two counts. First, I think that this inconsistency and buckling in the face of objections from what I consider to be an unrepresentative group is the wrong approach. Secondly, I think that these customs arrangements are immensely important.

Mr Fysh: Will the right hon. Lady give way?

Yvette Cooper: No, I will not, because there is a time limit and I want to finish my speech early so that others can contribute.

Members who oppose any form of customs union are underestimating the significance of rules of origin checks which, according to the Government’s own analysis, can burden businesses with additional costs amounting to between 4% and 15%.

Sir Bernard Jenkin: Why would any company bother to carry out expensive rules of origin checks if paying the tariff, which might be as little as 2%, would be much cheaper? It is as simple as that.

Yvette Cooper: That is really flipped logic. The hon. Gentleman is effectively saying, “They do not have to do the checks because they can all just pay the tariffs.” Why on earth are we going through this whole process in the first place if all we are going to get is a tiny reduction in tariffs that no one will take advantage of in order to get any benefits?

Mr David Davis: The logic is actually very simple. Empirical evidence shows that in international trade, companies seek to claim their rebates and do what is necessary to avoid tariffs when a tariff is lower than 3%, not when it is above. What that tells us is that the cost of rules of origin administration is less than 3%. Companies are rational operators. The numbers that the right hon. Lady cited from a supposed Government study were wrong.

Yvette Cooper: I would caution the right hon. Gentleman against dismissing the rules of origin checks. There is a huge worry about the burden that they will impose on small businesses in particular. There is a big difference between large and small businesses in this regard. It might be worth large businesses claiming the money back because they can set up systems to do so, but for small businesses the process can be devastating. I am thinking particularly of the huge number of small businesses that have not yet traded outside the EU and for which rules of origin will be a new burden.

Why on earth would we want to add these additional burdens and checks on businesses that have not faced them before? I find myself in a very strange position. I, as a Labour MP, am arguing far more strongly and passionately against these additional burdens on businesses than those on the hard right of the Conservative party, who ought to be arguing against such burdens.

Wera Hobhouse: Will the right hon. Lady give way?

Yvette Cooper: I will give way once more, but I am conscious of the time.

Wera Hobhouse: Surely rules of origin checks are about not only tariffs, but environmental protection, for example. It is not just about the money; it is about where the products have come from, how they were produced and whether they conform with what we believe in.

Yvette Cooper: The hon. Lady is right. We need to address the wider issues relating to friction at the border as well.

Let me say something about the Government’s facilitated customs arrangement. I understand what Ministers are trying to do and that they are trying to square a circle. They are trying to pull us out of the common external tariff without paying any of the penalties of being outside it. I think that that is a leap of faith—it is implausible. I think that there are huge questions about whether such an arrangement is deliverable and whether it would be robust enough for the EU ever to sign up for it.

The Government are expecting that there will be sufficiently robust procedures for tariffs to be collected at the border for widgets coming in from the United States or other countries, and therefore no checks—no spot checks; no additional checks—on whether forms are being filled in correctly and accurately, on whether there is fraud and on whether there is an incentive for companies to fill in the forms in respect of one direction but then actually to move the goods in another. That is significant, because the European Commission is currently taking action to recover what it believes is €2 billion of under-claimed customs duties as a result of the UK’s failure to crack down on Chinese clothing importers’ customs fraud. Whatever the rights and wrongs of that, the point is that the European Commission and EU member states do not have confidence in our customs arrangements at the moment—never mind our asking them to join in a huge leap of faith with their agreeing to our future facilitated customs arrangement. The Government are relying on some whizzy wonderful new technology, and while I hope that that will arrive very quickly, there are serious questions about how long that will take and what the consequences will be.

My new clause 6 calls for a proper impact assessment of the consequences of being outside the common external tariff. I still cannot believe that that has not been done. I cannot believe that there has been no serious assessment of the fantasy future trade deals that
will somehow make us better off, or of the additional burdens that will result from being outside the common external tariff, which will make us worse off.

Let me now say something about amendment 73, which I think is one of the most destructive measures tabled by some of the hard-right Conservatives in the European Research Group. It would remove from the Bill any provisions that would be needed for a customs union. The hon. Member for North East Somerset (Mr Rees-Mogg), who chairs the ERG, has said that that is okay because there will be a future vote. Why should there be a future vote? Why should we not vote now? I think that we should have a customs union, so let us have that vote now, rather than voting to remove the provisions from the Bill. Why on earth, for the sake of manufacturing, would we ditch those customs provisions? The ERG wants to remove the possibility of a customs union from the Bill.

I am astonished that Ministers want to accept that proposal. It is deeply destructive, and it would actually make it harder for the Government to secure the customs arrangements that we need. It means that if their facilitated customs arrangement does not work, the fall-back position will be no customs deal at all, which would be deeply damaging for our manufacturers.

I hope that our Front Benchers will also vote against this deeply damaging ERG amendment because I do not see how we can tolerate the damage that the hard right of the Conservative party wants to do to our manufacturing industry. We need to be the party that will stand up for manufacturing industry and ensure that our manufacturers can get the best possible deal as part of the Brexit process. We owe it to them to do that.

Several hon. Members rose—

Mr Speaker: Order. The right hon. and learned Member for Rushcliffe (Mr Clarke) will be the last Member to speak under the 12-minute limit. By how much the subsequent limit will have to be lowered is very much dependent on the right hon. and learned Gentleman.

Mr Kenneth Clarke: Mr Speaker, I am grateful to you for calling me. You may be disbelieving, but I assure you that I will do my best to speak for fewer than 12 minutes, so I shall be rather more pithy than usual.

For the last 40 years, we have achieved some remarkable transformations in the British economy. We have made ourselves one of the most attractive economies in the world for inward investment and developed an extremely competitive modern economy in both goods and services. That is not entirely attributable to the single market and the customs union, but they played a very large part. The UK is regarded by many of the great firms that invest in this country as the most business-friendly member of the EU and the most attractive place to invest in a way that gives absolutely unfettered access to the largest developed international free trade area in the world. I personally have never understood why we are seeking to detract from that. In the referendum campaign, absolutely nobody made a major feature anywhere of saying that we should withdraw from these arrangements, and certainly nobody advocated the virtues of putting in place at our ports and borders customs checks, customs procedures, tariffs, regulatory divergence and all the things that cause cost.

6.30 pm

The aim of my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), who is an old friend for whom I have very considerable respect, is rather the same as mine: he takes as the basis of his arguments that he wants Britain to be one of the most attractive, if not the most attractive, places for the investment we need in future years. But, with great respect, I think he employs considerable ingenuity, based on his knowledge of the subject, of course, about the attempts made in other parts of the world to mitigate the consequences of not having a totally open border. The Canadian-US border is not, for most of its trade, totally free; it is not devoid of queues and delays.

The other argument that we have had so far to dismiss our worries on this issue is, “Well, a 20-minute delay compared with a three-minute delay is not going to deter anybody.” The fact is that the major manufacturers—I will stick to manufacturing because it is, I think, what is most accessible to the public. Our remarkable turnaround in the car industry is the most obvious demonstration of where we have got to, but one of the reasons why such companies come here is precisely because they can operate the most modern systems with absolutely no delay: the just-in-time supply lines and everything else we have heard about. It is no good saying, “That doesn’t matter because they don’t have that anywhere else in the world.” Once you change that, there is absolutely no doubt that you are increasing costs quite substantially compared with the costs we have now; that is absolutely undeniable.

During the referendum, some of us tried to raise the threat to our international trade and inward investment that leaving the EU would involve. I debated with a very good advocate on the leave side, Daniel Hannan, who is a very well-known MEP. It was easy to debate with him because Dan was not advocating leaving the single market. It was quite plain that he was in favour; we have quotes from him saying so—he said a lot about it. It was responded to by some of the leading publicised figures, most notably the recently resigned Foreign Secretary. He dismissed any suggestion that trade would change—the Germans would be persuaded by Mercedes just to leave things completely as they were in an as yet unspecified and undescribed way. Now my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) and his supporters are ignoring, sometimes aggressively and derisively, the advice being given to us by all the major international investors in this country—such as Airbus and Jaguar Land Rover—by the CBI and by the Institute of Directors, which is not the most left-wing organisation I have ever encountered. Apparently, my right hon. Friend understands far more about the attractiveness of this country for future investment in the next generation of aerospace and automobiles which we need to anticipate. Nobody is going to close down a factory overnight if we go in for the daintiest arrangements, but they will have to compete with other parts of their group for the next major investments, and the UK will go right down the list because everywhere else in the EU will be able to demonstrate that they are more attractive.
James Cartlidge (South Suffolk) (Con): The key concern for me is that we seem to be separating EU trade and non-EU trade, but is it not the case that so much of our non-EU exports are from foreign-owned businesses that invest in this country for export precisely because of the attraction of the single market and so on?

Mr Clarke: I agree and that is why I tabled, with my right hon. Friend the Member for Broxtowe (Anna Soubry), new clause 12 on a customs union. I have taken the view that, while I can see nothing wrong with that amendment, I am prepared to try to get us out of this predicament by giving the Government White Paper a try. It is attempting to reach precisely the objectives I am arguing for: frictionless trade, with none of these procedures at the border. I cannot see what is wrong with a customs union. If anyone calls a vote on that, I shall abstain. I do not vote against amendments that I plainly agree with and that I have tabled. If a facilitated customs arrangement can be devised which achieves the same, good luck. What is most important is that, now we have the White Paper, we agree with our partners in the EU that we now negotiate on this. We have wasted two years and are facing laughable suggestions. I hope that, when the Minister responds, he is able to explain why new clause 36 does not drive a coach and horses through the Chequers agreement. Everyone in the House knows that it does, but Ministers appear to be pretending that it does not. I commend the right hon. Member for North East Somerset (Mr Rees-Mogg) seems to be describing when he warms to the subject.

Now we have actually got quite a large majority of the Cabinet to agree on this. I never thought the Cabinet we had was ever capable of agreeing on anything on this subject because of the sincerely held, completely opposite views on virtually every aspect of it. We now have most of the Cabinet behind it. If we give them a chance, lots of developments will take place. As compromise takes place, with any luck, people who actually understand the subject will be allowed to try to come up with some workable version of this that achieves the essential objectives.

I am afraid the debate that the public are listening to infuriates them as it is all about personalities. Most sensible members of the public do not have the faintest idea what we are talking about because, throughout the debate, no one has given a proper explanation to the country of what a customs union or a single market even are and what certificates of origin involve. That is inevitable. We have never debated these things before, but we owe it to the public to have a slightly more sensible debate in future.

Half the arguments used in the general debate do not understand what a trade agreement is with any other country. As things stand, if we leave with no deal, we will be the only developed country in the world that does not have a trade agreement with any other country, because it is not going to be easy to roll over all the other agreements we have with other countries, which are based on the EU. We have driven the EU to achieve all those agreements. I agree that there are problems with 28 member states negotiating, but the problems with America are far worse. All the Americans want to do is export food to us; they will not open up their public procurement or their service industries.

Mr Clarke: I cannot give way.

Some people want us to give up the hated European rules on animal welfare and food standards and bind ourselves to the lower American rules on food standards. So Congress—Washington—will be telling us what our standards are in those areas in future and we will be excluded from European markets and have to have a hard border with Northern Ireland and with the continent. Anyone listening to some of the opponents of the EU would think that other trade agreements simply let us have all the advantages with no obligations. All trade agreements involve mutual agreements on regulation, standards, health and safety, welfare and all the other relevant things that the parties mutually bind themselves to accept. There is not a country in the world that would accept a trade agreement of the kind that my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) seems to be describing when he warms to the subject.

These are hugely important subjects, but for the past week, we have been debating them in the national debate in the most farcical and chaotic way that I can remember in my political career. The outcome is hugely important. If, one week after the Government set out a policy that I personally was prepared to give a fair wind to, I find that they are going to accept proposals such as amendment 73 and new clause 36, which promptly change that policy in a quite ridiculous way, I shall despair. The Government have only to vote against those new clauses and amendments; I am absolutely certain that the Opposition parties would not be able to think of a sensible reason why they should help my hon. Friend the Member for North East Somerset and others to get a majority in this House. We can demonstrate that they are a tiny handful of people, and their arguments are most certainly not in the national interest.

Several hon. Members rose—

Mr Speaker: Order. The new time limit will have to be no more than eight minutes.

Mr Clarke: I have saved us a few minutes.

Mr Speaker: Indeed, and we are immensely grateful.

Tom Brake (Carshalton and Wallington) (LD): I hope that the penny is now dropping among those who inflicted the EU referendum and the subsequent chaos on the country as to precisely what damage this Tory farce is doing to our standing in the world and to our economy. We are two years on, yet no real progress has been made. Tory rivalries, leadership ambitions and factionalism are making this country a laughing stock, and Tory Members should be ashamed. I am sorry to say that Labour Front Benchers also often contribute to the farce.

I want to speak in favour of accepting new clauses 1 and 12 if they are pushed to a vote, and to speak against new clause 36, which is clearly a wrecking amendment. I hope that, when the Minister responds, he is able to explain why new clause 36 does not drive a coach and horses through the Chequers agreement. Everyone in the House knows that it does, but Ministers appear to be pretending that it does not. I commend the right hon. Member for Broxtowe (Anna Soubry), who is no...
[Tom Brake]

longer in her place, for the anger and passion that she brought to the debate, and for starting to set out the consequences of Brexit. So far, the debate has been rather short on consequences. There has been a lot about aspirations, ambition, ideology and speculation, but rather little about the consequences of Brexit. Some Government Members pretend that Brexit will have no impact on the UK economy. Others are more honest, including the hon. Member for Harwich and North Essex (Sir Bernard Jenkin), who has just left his place—

Sir Bernard Jenkin: I am here.

Tom Brake: I am sorry—the hon. Gentleman is present. He was more honest. I hope that he does not feel that I am misinterpreting him, but I listened carefully to him, as I hope others did, when he spoke on the “Today” programme on Radio 4 this morning, and I think that what he was doing, perhaps paraphrasing our outgoing Foreign Secretary, was to say, “F*** business”. He was saying that all businesses care about are profits, but I think they care about whether they are able to do the job they are required to do and provide the jobs in this country.

Sir Bernard Jenkin: Unlike probably the vast majority of right hon. and hon. Members, I actually used to work in manufacturing industry. I worked for the Ford Motor Company, and I also used to invest in manufacturing businesses. It really is a bit rich when people who know next to nothing about manufacturing lecture those of us who have been in business on the things we know about. Does the right hon. Gentleman dismiss the views of people such as Sir James Dyson and J. C. Bamford and the many other manufacturers who wanted to leave the European Union when we had the referendum?

Tom Brake: The hon. Gentleman might be surprised to hear that I also worked in business before I came into Parliament. I worked for manufacturing businesses, among others. He mentions the two businesses which he in fact can mention because they are in favour of coming out of the European Union. We have heard rather a lot about those two businesses. One has of course relocated most of its production to China, so I am not sure it is particularly well positioned to talk about these things—

Wera Hobhouse: Malaysia.

Tom Brake: Malaysia, not China.

6.45 pm

I also want to talk about new clauses 7, 8 and 9. New clause 7 simply tries to ensure that the Government are required to do what everyone in the House wants them to do—namely, set out the impact on business of their customs arrangements proposals. They have ducked and dived on impact assessments, and they have been embarrassed when assessments have been leaked. They have done everything they can to prevent that information from getting into the public domain. New clause 7 would ensure that, six months after the Bill gets Royal Assent, the Government have to set out precisely the impact of their proposals on the UK economy. New clause 8 would require them to set out precisely the impact on the Northern Ireland-Ireland border—there are still concerns about that question—and new clause 37 quite deliberately seeks to do away with any prospect of a withdrawal agreement. No one—not the political parties here or in Northern Ireland and certainly not the Irish Government—wants to see a border in the Irish Sea, but the purpose of new clause 37 seems to be to destroy the space in which discussions on the backstop arrangements can take place.

New clause 9 and amendment 10 are simply about taking back control. We have heard a lot about parliamentary sovereignty and ensuring that Parliament has its say. Well, the purpose of new clause 9 and amendment 10 is to ensure that the Government do not railroad measures through this House using statutory instruments or tertiary legislation such as public notices simply because it is convenient for them to do so and to avoid the scrutiny that Parliament is entitled to exercise.

I am well within my time limit, but I conclude by saying that I am pleased that we are at least starting to discuss the real consequences of Brexit for business. I hope that new clauses 1 and 12 will be pressed to a vote later. We need to get into some real debate about what we can do to ensure that the successful manufacturers in this country are able to continue to operate as they wish, and those new clauses would allow that to happen.

Priti Patel (Witham) (Con): I rise to speak to new clause 36, tabled in my name and those of other right hon. and hon. Members. I want to be clear that a strong deal that delivers a new equal partnership between the UK and the EU based on co-operation to advance mutual interests while respecting the sovereignty of this country is of course in everyone’s interests. This is also a golden opportunity for our country to become a free and independent nation, setting up its own laws and in control of its own destiny. I do not think that anyone in this House would disagree with that. We understand that the Government are engaged in the negotiating process and that all negotiations require a degree of give and take. There are of course certain red lines that cannot be crossed, as is being made clear in the debates that we are having right now and in the proposals that we are taking to the European Union.

New clause 36 cements into legislation the principle of reciprocity. It is clear and unambiguous. It was disappointing to see that the White Paper did not commit to that principle. The proposal in the White Paper does not deliver an equal partnership. It delivers one that does not put us on a level playing field. Because it states that “the EU would need to be confident that goods cannot enter its customs territory without the correct tariff and trade policy being applied”, we would effectively adopt much of that policy and collect tariffs on behalf of the EU.

However, the White Paper then states that “the UK is not proposing that the EU applies the UK’s tariffs and trade policy at its border for goods intended for the UK.” We are therefore being asked to pass legislation that would mean that while the Government can agree with the EU to collect taxes for it and provide assurances about goods entering the UK that are heading to the EU, we would not expect the same arrangements to be
provided by the EU in return. Why are we planning to give the EU assurances and confidence that we do not expect in return?

Paul Masterton (East Renfrewshire) (Con): Will my right hon. Friend confirm whether it is her view that new clause 36 conflicts or is in line with Government policy, as per the White Paper published last week?

Priti Patel: I just made the point that it was disappointing that the principle of reciprocity was not in the White Paper. My hon. Friend has already heard me say that I want an equal partnership, but what has been proposed is not equal. It is yet another compromise with nothing in return.

The Government have the chance to address that by backing new clause 36. The EU would then know that it cannot attempt to steamroller the Government on this issue in the negotiations and that if it wants to benefit from the UK collecting its tariffs, it needs to adopt a similar reciprocal arrangement.

Thus far, the Government have negotiated in good faith with the EU. We have been open, transparent and have already made many compromises and concessions, which is only right and fair. Within a week of taking office, the Prime Minister gave up our turn to the hold the EU presidency in the second half of 2017 as a gesture of goodwill. We offered a guarantee on citizens’ rights as early as possible, but the EU would not accept it. We have offered £40 billion of British taxpayers’ money, yet the trade deal that would benefit this country and the EU has been blocked by EU officials, who are, quite frankly, not engaging with us.

As we progress to the next stage of the negotiations on the future of the UK-EU relationship, Britain needs to be an equal partner with the EU, not its tax collector. New clause 36 would ensure that genuine reciprocal arrangements are established and would put it into law that the UK will not be part of an EU VAT regime and that Northern Ireland will be treated the same as the rest of the UK. We propose putting into law as a safeguard what the Government have said they want.

The public want to know that their political leaders will stay true to the promise made to them that Brexit means Brexit and that we are putting plans in place for our nation’s economic and political renewal, so the Government need to have the desire to modify their proposals and listen to the public.

Several hon. Members rose—

Mr Speaker: Has the right hon. Lady completed her speech?

Priti Patel indicated assent.

Mr Speaker: The right hon. Lady used commendable brevity, upon which I congratulate her.

Ian Murray (Edinburgh South) (Lab): It is a great privilege to follow the right hon. Member for Witham (Priti Patel). We sit on the Select Committee on Foreign Affairs together and agree on much of its work. However, I am afraid that we agree on nothing when it comes to Brexit, and we have those battles in the Committee.

It is unfortunate that we have been left here this evening with a set of four amendments from the group of Conservative rebels who want to take us off a cliff edge. That is what the amendments are designed to do. We have unconfirmed reports that the Government may accept the amendments. I do not know whether the Financial Secretary to the Treasury will nod to indicate that he will accept them, but if he does, I hope he has a match or a lighter in his pocket, because he would do just as well to set the Chequers agreement alight, given the consequences.

On top of all that, the former Secretary of State for Exiting the European Union, the right hon. Member for Haltemprice and Howden (Mr Davis), must now regret leaving the Government, given that after threatening to resign five times, he finally went through with it by resigning following the Chequers agreement, which is just about to be ripped up by his own Front-Bench team and replaced with a much more hard-line position that will take us off the cliff with a hard Brexit. If he had only stayed on for a few more days, he may have been able to see through the proposals that he started.

Mr David Davis rose—

Ian Murray: I am happy to give way to the right hon. Gentleman, given that I mentioned him.

Mr Davis: I rise just to tell the hon. Gentleman that nearly everything he just said in that sentence is untrue.

Ian Murray: I am delighted to hear that he would have resigned regardless, but he must surely have some regret. Perhaps we should be glad that he resigned, given that he stood up in this Chamber, as a former Secretary of State, and tried to persuade the House that Operation Stack and having trucks and lorries queued up at our ports was positive for the country. I have never known a former Secretary of State to look at something like Operation Stack, which would be a tragedy for our economy had it continued for much longer, and turn it into a positive. If that is the kind of argument he is offering to this House and to the country, we should ensure that we vote down most of these amendments.

I find it extraordinary that after going through this process—these debates give me déjà vu—we are still hearing arguments about the customs union and the single market. The Government managed to botch together what is now called the Chequers agreement and now, a week away from this Parliament adjourning for the summer recess, they have completely torn it apart by again pandering, as the right hon. and learned Member for Rushcliffe (Mr Clarke) said, to 30 or 40 people on the hard right of the Conservative party. Those people would be being much more honest if they just stood up and said that they want the cliff-edge hard Brexit, rather than tabling amendments that drive a coach and horses through the agreement that the Government managed to reach.

Craig Mackinlay (South Thanet) (Con): Is the hon. Gentleman really suggesting that the 163 independent members of the WTO are somehow teetering on a cliff edge or doing something rather odd? Are they not just normal trading nations that trade freely with each other? I find his “cliff edge” statement rather peculiar, because it does not treat the facts.
Ian Murray: I will tell the hon. Gentleman who is teetering on the cliff edge: the 10,000 or 12,000 people in my constituency who work in the financial services sector. The advice and analysis that I have had from them is that staying in the customs union and the single market is the least worst option, and that the WTO route that he suggests would leave this country teetering on the edge of a GDP reduction of somewhere between 9% and 16%, depending on the part of the country. If that is a positive argument for taking us out of the EU, the country needs to be given a people’s vote on whether we are going down the right track.

The right hon. Member for Broxtowe (Anna Soubry) moved new clause 1. She did not so much mention new clause 12, but it presents a customs union option that could provide a platform to unite the vast majority of this House. When the Division bell rings for the votes on new clause 36 and amendment 73, I agree with the right hon. and learned Member for Rushcliffe that we should all go into the Lobby against them to show how many people in this House actually want to protect this country’s future prosperity and how many want to take away the prosperity for their own narrow ideological needs. I say to my own Front-Bench team that when the Division bell rings I hope Labour votes against those amendments and makes a stand against what the hard-line right-wing Brexiteers are trying to do to our country.

There is absolutely no way we can achieve frictionless trade—what the Government want us to try to achieve—while putting in place policies that set hurdles in front of it. The amendments would mean no VAT alignment, but if there is no VAT alignment, there is no backstop. If there is no backstop, there is no withdrawal agreement. If there is no withdrawal agreement, we have to have a hard border between the Republic of Ireland and Northern Ireland. If that is the aspiration behind some of these amendments, we will in the future have to take a long hard look back at this point, when we are about to inflict the single largest act of self-harm to this country, to see what people were actually trying to achieve. The introductory remarks of the right hon. Member for Broxtowe on new clause 1 sum that situation up. She was attacked with pretty disgraceful remarks from some in her own party, but she was merely trying to put forward an argument that would prevent this country from doing economic damage to itself. What a remarkable thing to happen.

We have two Bills in front of us this week—tonight’s Bill and the Trade Bill tomorrow—and all the Government have to do is keep the customs union and the single market on the negotiating table. New clause 12 does not mean that the Government have to implement anything; it just asks them to keep the proposal on the table. That is what would be in this country’s best interests. I agree with the right hon. Member for Broxtowe that this Minister is one of the best in the Government. I disagree with the vast majority of things that he does, but he is courteous, intelligent and always answers questions in the best way possible. He cannot honestly be sitting there this evening ready to accept the four amendments thinking that that would be in the best interests not only of the country, but of the Chequers agreement that the Prime Minister managed to cobble together last Friday. We need Government Front Benchers could then say that they have stood up to the hard right of this country and stopped economic Armageddon, and that they have done the right thing.

7 pm

Mr Laurence Robertson (Tewkesbury) (Con): I rise to speak to new clause 37, which is in my name and those of my right hon and hon. Friends. I will press the new clause at the appropriate time. It would make it unlawful for Her Majesty’s Government to enter into arrangements under which Northern Ireland forms part of a separate customs territory to Great Britain.

The purpose is simple: it is to secure the future of the United Kingdom. I speak as a proud Unionist and a friend of Northern Ireland. I have had the honour of working closely with people across Northern Ireland, having been Chairman of the Northern Ireland Affairs Committee for seven years and, before that, a shadow Northern Ireland Minister for five years. Interestingly, I also co-chaired the British-Irish Parliamentary Assembly for some five years. We have a lot to fight for in Northern Ireland.

This new clause would provide a guarantee that shows we value the Union and recognise the importance of strengthening it, but also acknowledge the importance and the value of our most important trading arrangement, the UK internal market. Above all, it would contribute to upholding the constitutional integrity of the United Kingdom and safeguard the Union for the future.

New clause 37 reinforces a view that I am confident is shared on both sides of the House, which is that we cannot accept a deal that would allow Northern Ireland to be considered a separate customs territory from Great Britain. I recognise that this is the view the Prime Minister has put at the forefront of our negotiations.

Ian Paisley (North Antrim) (DUP): Will the hon. Gentleman reiterate the point that new clause 37 simply underlines and reaffirms what the Prime Minister has said from the Dispatch Box on four separate occasions? The hon. Gentleman is right to seek to nail this into the Bill because we might not always have the luxury of having a Unionist Prime Minister.

Mr Robertson: Of course I completely agree with the hon. Gentleman, although I hope we always do have a Unionist Prime Minister. Many of us will be working towards that end for many, many years.

The Prime Minister said in December “the whole of the United Kingdom, including Northern Ireland, will leave the EU customs union and the EU single market. Nothing in the agreement I have reached alters that fundamental fact.”—[Official Report, 11 December 2017; Vol. 633, c. 27.] If nothing has changed, I am confident—and I understand it is the case—that the Government will support this amendment.

During the past two years, we have had many polarising debates on our withdrawal from the European Union, but this amendment is straightforward and should be supported by anyone who values and believes in the Union. This is not a matter of leave or remain; it is about protecting the Union and ensuring that any deal we secure with the European Union upholds the constitutional integrity of the UK.
As well as protecting Northern Ireland’s constitutional position in the UK, new clause 37 is also about protecting the economy of Northern Ireland by securing our most important single market, the UK itself. There are no absolute figures, but estimates from the Northern Ireland Statistics and Research Agency suggest that external sales of goods and services between Northern Ireland and the rest of the UK were worth £14 billion in 2016, which represents approximately 58% of Northern Ireland’s total external sales. To jeopardise that by subjecting Northern Ireland to extra border arrangements, effectively down the Irish sea, would be foolish.

Earlier this year, the Prime Minister rightly rejected the European Commission’s proposed version of the backstop, which would have treated Northern Ireland differently from the rest of the United Kingdom. As the Prime Minister has said a number of times, no UK Prime Minister could ever agree to it. I understand that is still the Government’s view.

New clause 37 does not look to tie the Government’s hands. Rather, it will galvanise the Government’s position on this issue and signal to the people of Northern Ireland that they will not be left behind or left out. The Irish border is being used as a red herring by the European Union. As the Prime Minister has agreed on a number of occasions, we cannot know what arrangements, if any, will be needed on the border until we know the details of any deal with the European Union. To think the opposite of that is to put the cart before the horse.

Her Majesty’s Government, the Irish Government and politicians of all colours in Northern Ireland have said that they do not want to see a hard border in Ireland. When we say “hard border,” we are not talking about troops being stationed along the border—that is not going to happen. Nor will whatever arrangements we reach with the EU provoke violence along the border—those years have surely gone.

What will happen, though, is what has been happening for a very long time. The two jurisdictions already have different laws, different currencies, different VAT rates, different levels of corporation tax, different fuel duties, different levels of tourism tax and different levels of air passenger duty, yet trade takes place. People cross the border each day, with some people crossing several times a day. Some checks are carried out at various places in the north and south, which is how it will continue to be, without the disruption to trade and to everyday life that some people predict.

There is, therefore, no need for discussions about the border in Ireland to hold up the wider trade talks with the European Union, nor is there any need to threaten Northern Ireland’s position within the UK or Northern Ireland’s economy during these talks. New clause 37 will ensure that will not be the case.

The Prime Minister has repeatedly said that the backstop proposals for Northern Ireland are something no Prime Minister of the United Kingdom could ever agree to, and this new clause will enshrine that policy in law.

Caroline Lucas (Brighton, Pavilion) (Green): I support all those who have been arguing for continued membership of the customs union, and therefore I support new clause 1. It is clear from everything we have heard today that, if we are to avoid serious economic hardship, membership of the customs union is essential. Frankly, the wrecking ball that the hard Brexiteers would bring to British business and industry is pretty extraordinary, and all for what?

The Prime Minister had it pretty much right when she spelled out: “We export more to Ireland than we do to China, almost twice as much to Belgium as we do to India, and nearly 3 times as much to Sweden as we do to Brazil. It is not realistic to think we could just replace European trade with these new markets.”

She said that in April 2016, and I contend, as the Prime Minister herself is fond of saying, that nothing has changed.

In the brief time available to me, I will raise the issue of standards, particularly in relation to my amendment 71. Clause 8 sets out factors to which the Treasury must have regard when considering the rate of import duties that apply to goods. Those factors include the interests of UK consumers and the desirability of maintaining and promoting productivity and external trade.

Amendment 71 would add to those factors. First, it would add the interests of UK producers, particularly farmers. Secondly, it would add the desirability of ensuring that UK standards of animal welfare, food safety and environmental protection are not undermined by imports produced to lower standards.

The Prime Minister said at Prime Minister’s questions in February 2017, and many times since: “We should be proud that in the UK we have some of the highest animal welfare standards in the world—indeed, one of the highest scores for animal protection in the world. Leaving the EU will not change that...we are committed to maintaining and, where possible, improving standards.”—[Official Report, 8 February 2017; Vol. 621, c. 424.]

Similarly, we have heard the Secretary of State for Environment, Food and Rural Affairs say on many occasions that we need to maintain, and where possible enhance, environmental and animal welfare standards. However, if the UK is unable to protect its farmers from being undermined by lower-quality imports, those farmers are likely to find it hard to be competitive and to go further on improving their animal welfare and environmental standards. Accordingly, when negotiating new trade agreements, it will be vital that the UK insists on the inclusion of a clause permitting it to require imports to meet UK animal welfare and environmental standards. I have tabled an amendment to the Trade Bill to that effect.

If that were not to happen and we were to lose the principle of prohibiting products that do not meet our standards, we would need some kind of backstop, which is where amendment 71 comes in. It would give Ministers the power to place differential tariffs on imports. Imports that do not conform to UK welfare standards would be subject to tariffs high enough to safeguard UK farmers. It would ensure that UK farm businesses were not undermined by low-quality products and that UK consumers would be protected from goods of a lower standard—chlorine-washed chicken, ractopamine-fed pork and hormone-treated beef, to name but a few—through tariffs on imports that do not meet UK standards. These tariffs would effectively make the cost of these lower-welfare products an awful lot higher to protect our standards here in the UK.

Mr Fysh: The hon. Lady makes an important point about the value of trade defences in our armoury. Would she consider supporting new clause 36, which is
[Mr Fysh]

essential if the UK is to be able to operate its own trade defence policy, because if the EU is not collecting our tariffs for us at our border, there will potentially be nothing we can do about that?

Caroline Lucas: I am afraid that I do not share the hon. Gentleman’s faith in our own Government continuing to keep higher standards. We have already heard clear criticisms of new clause 36 for many other reasons, including the way in which it drives a coach and horses through the kind of customs union that we want, so I will not be supporting new clause 36.

I was going on to give examples of ways in which food standards in the US are much lower than our own. Many may find the prospect of eating chlorine-washed chicken disturbing. Although there appears to be no clear scientific evidence that it poses a substantial risk to human health, it is linked to poor animal welfare on farms and at slaughter. Similarly, ractopamine is a feed additive used to promote growth in pigs, and its use is permitted in the United States, but prohibited in the EU. There is evidence that it has a detrimental impact on pig welfare, with the Humane Society of the United States stating that it “causes death, lameness, stiffness, trembling and shortness of breath in farm animals”.

Concerns have been expressed about its impact on human health as well.

My amendment 71 would simply require the Treasury, when considering the rate of import duty that ought to apply to any goods, to have regard to the interests of UK producers, such as farmers and to the desirability of ensuring that UK standards of animal welfare, food safety and environmental protection are not undermined by imports produced to lower standards. I will wrap up my comments about it there.

I am supporting a number of other measures, including that on dealing with impact assessments, which are vital when we talk about impacts on the economic situation in this country and on the Northern Ireland border. However, I just thought that it was important to put something on record in this debate about the impact on animal welfare and environmental standards, too.

Greg Hands (Chelsea and Fulham) (Con): Let me start by saying that I agree with my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) that the Bills we are considering today and tomorrow are vital pieces of legislation. I rise to speak against new clauses 1 and 12, which stand in the name of my right hon. Friend the Member for Broxtowe (Anna Soubry); new clause 6, which stands in the name of the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper); and new clause 11, which stands in the name of the Leader of the Opposition.

I speak as someone who voted remain in June 2016. However, having had time to study these matters at close hand, and having an objective, pragmatic and reasonable approach—I agree with my right hon. Friend the Member for Broxtowe that being objective and pragmatic is vital—I believe that it would be a grave error to enter into a customs union with the EU while being outside the EU. I shall give five reasons why I believe that to be the case.

7.15 pm

Much of the debate has focused on narrow considerations about how a border works. Important though that is, there is much more to a customs union than simply the operation of a border or set of borders, and it is very important to bring that into this debate. Before anyone proposes going down the route of entering into a customs union with the EU, we should ask whether anyone currently does that. Turkey does; it is not in the customs union for everything or a customs union for everything, but it is for most goods, with the exception of agricultural goods. The Turkish example is very instructive. Some 23 years ago, when Turkey joined this customs union, its direction of travel was the entire opposite of ours. Turkey was looking to enter the EU and saw joining a customs union, with all its disadvantages and imperfections, as a staging post to joining the EU. We are operating in the opposite direction. What happens when a country is in a customs union with somebody and it goes into a trade agreement? Well, Turkey must give access to its markets under that trade agreement, because it has signed up to the common external tariff. However, because Turkey is not subject to that trade agreement, as that agreement is with the EU——

Mr Djanogly rose—

Greg Hands: I am going to carry on and explore this point. Because Turkey is not subject to that agreement, as it is not a member of the European Union, Turkey must negotiate its own trade agreement with counterparts. It is not obliged to do so, and various counterparts have agreed a trade agreement with the EU but not agreed one with Turkey.

Mr Djanogly rose—

Greg Hands: No, I am not giving way as I am going to explore my points in the available time.

The lesson here is that these partners will be less likely, in many ways, to do a deal with such an economy, and ours is the fifth largest economy in the world. If they can get access to that economy through a trade agreement with the EU such that Britain would be forced to lower its tariffs, the people they might want to speak to are more likely to be in Brussels than in London.

My second reason relates to the pursuit of an independent trade policy and trade agreements. If we are no longer setting our own tariffs and they are set by somebody else, that weakens our ability to have a trade negotiation and to come to a trade agreement—by definition, we have a lot less to offer.

Remarkably, the third area—trade remedies—has not been explored at all tonight. I am amazed that the Labour party wants us to join—I am not sure what the official Front-Bench view is, but I think it is this—a customs union with the EU. Who would do our trade defences? Trade defences are incredibly important; they are the topic de jour in the current disputes between the United States, China and other counterparts. If we were in a customs union, it would be likely that Brussels would be making the decisions on trade remedies that would apply to the UK. We would not have a seat at that table when those decisions, which would affect our industry, were being made. Moreover, it would be likely to be against WTO rules for Brussels to make decisions
that might affect the UK, because under WTO rules, people have to show the impact on their own market, not somebody else's. So it is not at all clear to me—

Mr Djanogly: Will my right hon. Friend give way?

Greg Hands: I am going to use my three remaining minutes.

The fourth area—again, it is remarkable that Labour is ignoring this—is the potential regulatory impact of the NHS and other public services. I think that Labour Members have forgotten the TTIP debates of four or five years ago. They got very agitated about TTIP and the prospect of granting access to the NHS and other key public services in this country via a EU trade agreement. Now they seem to be happy for the EU, through a customs union, to negotiate potential access to the NHS and our markets. Even worse, we would not have a seat at the table when that trade agreement was set up. I find it remarkable that the Labour party is prepared to do that.

My final point has also not been raised in this debate, but it is a vital aspect of the Bill: trade preferences for the developing world. Again, I think that there is cross-party support for this country doing more and better in this area. The Bill allows for the transition of the scheme of trade preferences, meaning that the UK will have its own scheme of trade preferences. It will transfer overnight the European Union GSP—generalised scheme of preferences—and GSP+ and include everything but arms. Crucially, there will be the ability to improve on that scheme. If we stay in a customs union with the European Union, we will strangle in its infancy that ability to do better than the European Union on trade preferences.

The Trade Ministers to whom I have spoken in the Government of countries such as India, Pakistan and Bangladesh—they are all really important markets for this country and really important friends—would welcome the UK having the ability to offer better access for their goods than the European Union currently does. I am not saying that we will make a policy decision today, but it is extremely important that the Bill contains the ability for us to do that, and it is an underrated aspect of the legislation. Whatever we think of the access currently offered by the European Union, I do not think that anybody would say that the UK would be unable to offer better access if we had our own preference scheme under the Bill. That has been neglected in this debate.

Whatever we think of the original decision in June 2016, it would be a grave error to enter into a customs union with the European Union. It is not just a question of formalities and practicalities at the border; there many other really important issues, such as trade remedies and trade preferences with the developing world, that make entering a customs union with the European Union a very bad idea. I very much support the Bill and urge the House to reject the new clauses.

Nic Dakin (Scunthorpe) (Lab): I apologise for the fact that I had to attend a Statutory Instrument Committee, but I was present at the beginning and I am here now. It is a pleasure to follow the right hon. Member for Chelsea and Fulham (Greg Hands), who brought us back to the detail of the Bill, which is where I wish to focus my remarks.

I was concerned that the proposed dumping methodology might not address the UK steel industry’s concerns, so I am pleased that the hon. Member for Stafford (Jeremy Lefroy) has tabled amendment 25. I am delighted that the Government have engaged with Members from all parties and that last week, in response to a written parliamentary question from the hon. Member for Middlesbrough South and East Cleveland (Mr Clarke), they underlined their commitment to “protecting UK industry where it is suffering injury as a result of dumped imports.”

The Government went on to say that they would not allow that to happen and would use mechanisms for the calculation of dumping methods that, on the face of it, seem to have the support of industries such as steel and ceramics. I very much welcome the fact that the Government have listened and have worked with key industries during the Bill’s progress through Parliament.

I am less convinced by the situation in relation to the economic interest test. I was rather hoping that, in line with the rhetoric that we heard throughout the whole argument for leaving the European Union, we would take advantage of the opportunity that leaving the European Union offered to reduce any bureaucratic pressure on industries such as steel, rather than adding to their bureaucratic pressures. The economic interest test in the Bill adds extra layers compared with what currently exists in the European Union, so we have the genius of a Government bringing forward something even more complex than what we already have in the European Union. I did not think that was the purpose of what we were doing; perhaps I was naive.

In Committee, we expressed concerns about the proliferation of economic interest tests that have been built into the regime and that measures must pass before tariffs can be introduced. Of particular concern was the fact that such tests will first be conducted by the independent Trade Remedies Authority and then again by the Secretary of State, theoretically on a completely different basis. As such, we have pushed for the Secretary of State’s power in relation to the tests to be curtailed and at most to act as a sense-check on what the TRA has conducted. Anything more than that will introduce an unacceptable level of potentially political interference into the process. It will be an unnecessary block on what is happening. The real worry is that it will delay the introduction of trade remedies and thereby potentially subject industry to more damage. However, the Government have tabled amendments 103 and 108, which go some way towards addressing the concerns I have just outlined.

Government amendments 110 to 112 and 116 to 118 seek to deal with the replication of tests, but they would not do that sufficiently well, so I shall support amendment 21, tabled in the name of the Leader of the Opposition, which would achieve a better outcome.

Finally, let me say a little about safeguard measures and adjustment plans. I am concerned that the Government intend to require any industry that requests safeguard measures to submit adjustment plans to demonstrate how it will adjust to new market circumstances, before any safeguard investigation can be launched. In essence, that would require an industry to demonstrate what changes it was making to its operations, including efficiencies and rationalisations, before a safeguard investigation could even start. UK Steel and others have pointed out that in situations such as those we currently face in
relation to US section 232 tariffs, such a requirement would be unjustified. Industry should not have to make major adjustments to deal with what is likely to be a temporary situation introduced by the non-WTO-compliant actions of another Government. I am therefore pleased that the Government have tabled amendment 113 to modify the requirement, allowing the TRA to waive the requirement when it deems it necessary or suitable. It would, though, be better if that pressure on industry—at a point at which it is already under significant pressure—were not there.

I wanted to put those concerns on the record so that the Government have the opportunity to make further improvements to the Bill as it makes progress in the other place and before it comes back to this House.

Craig Mackinlay: I rise to speak to amendment 73, tabled in my name and the names of my right hon. and hon. Friends, and which I wish to move at the appropriate time.

It now has to be a settled will that in future we are not going to be in the, or a, customs union with the European Union. That became clear during the hours of debate on the European Union (Withdrawal) Bill in this place and the other place, and that Bill became an Act. It is clear in the Chequers deal and the White Paper on the future relationship. The statement “We will not be in the customs union” has passed through the Prime Minister’s Lancaster House and Mansion House speeches, and through her statements on the Floor of the House on occasions far too numerous to mention.

We are not to be in a customs union. That was clearly the compact with the public made by the Conservatives and the Labour party in their manifestos last year. It is clearly the will of the people, as expressed in the June 2016 referendum. I do not think there can be any doubt about the clarity, because it was mentioned by all involved in that debate, no matter what side they supported. It is clearly the will of the people, of the Prime Minister and of the Cabinet. Similarly, when we negotiated and passed the European Union (Withdrawal) Bill, it was the will expressed by a majority of this place.

My hon. Friend the Member for North East Somerset (Mr Rees-Mogg) said earlier in an intervention that, were it necessary for there to be a customs union with some part of the world, there would need to be, at the right time, primary legislation that would also incorporate any requirements in the Government’s proposed new section 16A, which I am trying to nullify with amendment 73. I certainly hope that, given those settled wills, my amendment will be supported by the Government because anything else does not square with the manifesto on which we were elected and it certainly does not square with the manifesto on which the Labour party was elected either.

7.30 pm

We must examine this question: why on earth, under any circumstance—putting customs union aside—would we want to stay in the arrangements for the administration of VAT that the EU has? It is quite odd. It actually encourages buying from the EU in preference to buying from domestic markets. Let me put that into context.

Let us say an imaginary widget sells for £100 in the UK from a UK supplier, £100 from an EU supplier, and £100 from a US supplier. In the case of the purchase from a UK supplier, depending on the trade terms—one might have to pay within 30 days and there is a three-monthly VAT cycle—one would have to have a cash flow of £120 to buy it. Some months later, depending on the timing of one’s VAT return, one would get the £20 back. If one were to buy from a US trader, one would have to pay the £20 input VAT upfront as it crossed the border. But in the case of buying from an EU supplier, an imaginary VAT on the acquisition is created—one self-charges and there is an output later when it is sold in the UK. However, the cash flow is to spend only £100 with the EU supplier. Therefore, by being in the EU VAT system, we have created, perversely, a requirement, almost a push, towards competition that favours buying from abroad.

I really hope that Labour Members take this next point on board this evening. If we were to adopt the VAT directives in perpetuity—it seems that, now, many Labour Members would like us to adopt as part of our staying in the customs union—I really wonder how, following their campaign against the tampon tax, the hon. Members for Walthamstow (Stella Creasy), for Dewsbury (Paula Sherriff) and for Birmingham, Yardley (Jess Phillips)—I did alert them to the fact that I would mention them this evening—would stand up in public and say, “Oh, by the way, I have abandoned that idea.” I took part in that debate in this House and the proposal was supported across the Chamber. Are Labour Members really going to say to the electorate, “I am sorry, but that has all gone now, because we are actually in favour of customs union and of staying in the VAT directives” which are the reason why, in all of these years of EU membership, we have been unable to do anything about these hated taxes?

I would extend that to things such as solar panels and insulation products. Would any rational person in this House put VAT on solar panels and insulation products? I do not think that they would, but we have to do it because the EU requires it. Would we not rather like to reduce VAT on domestic heating and fuel? I think we would generally—

Mr Leslie: Will the hon. Gentleman give way?

Craig Mackinlay: I will; I would enjoy continuing my speech so please intervene.

Mr Leslie: Did the hon. Gentleman notice that, in March 2016, the European Union agreed, on the so-called tampon tax issue, to allow zero-rating? Therefore, the point that he made is completely debunked.

Craig Mackinlay: I am sorry, but that must have passed me by. I know that, to get around the difficulties that were caused by the tampon tax and the significant debate that we had in this Chamber, of which I was a part, the Government agreed to sort of equal the amount that was collected to pass it to charity. So it seems bizarre that we have not taken the steps that are available.

The other thing about going along with the VAT directives and how VAT is managed is that we have been subject to the missing trader intra-community fraud, the so-called carousel fraud, which cost this country
£1.7 billion last year. It is estimated to cost the EU as a whole into the tens of billions of pounds. Over the period of the administration of VAT in its current form, it could have cost anything up to £100 billion across the EU. Are we really saying that these failed systems are something that we want to be attached to in perpetuity?

The Prime Minister has said very clearly that we will be in control of our tax policy. Just last week, following Chequers, the Secretary of State for the Environment also confirmed that we cannot actually set our own taxes as we would wish to at the moment because VAT is set in accordance with EU rules. That is another area in which we will be sovereign. Amendment 73 would make sure that, no matter what the future holds, primary legislation will be needed to do this. We cannot have the vestiges of some of the worst VAT rules that anybody could ever imagine remaining on our statute book. For that reason and given that powerful debate on the tampon tax, I certainly hope that others across this House will support that amendment this evening.

Mr Speaker: Has the hon. Gentleman completed his oration?

Craig Mackinlay: indicated assent.

Mr Speaker: He has. We are grateful to him.

Sammy Wilson (East Antrim) (DUP): When we had the referendum result, and given the bitterness that existed during the referendum, I had absolutely no doubt that, despite the overwhelming vote, we were going to see guerrilla warfare conducted against the will of the people of the United Kingdom. We have seen it over the past year and a half—fall-outs in this place and fall-outs in TV studios, newspapers and so on. The amendments to this Bill fall into one of those two categories. People will give a whole variety of reasons, but, basically, they want to move amendments to this Bill to keep us in the institutions of the EU, which has bound us for so many years and from which people voted to be free. On the other side, there are those who wish to remain true to the vote of the people and make sure that everything is done to deliver on the promises that were made during the referendum.

Unfortunately, Northern Ireland, which has featured in nearly every speech here tonight, has been caught in the crossfire of that guerrilla warfare between those who wish to keep us in the EU and those who wish to honour the result of the referendum. The Northern Ireland border, the Good Friday agreement and the peace in Northern Ireland have been thrown around willy-nilly. To be quite frank, the people of Northern Ireland feel abused in this whole process. I have heard people in this place talk about the Belfast agreement as if it were their bedtime reading. They probably do not even know what the document looks like.

It has been suggested that if we do not abide by those who wish to keep us in the customs union and the single market, we will have a hard border in Northern Ireland, which will affect the peace. I do not know what this hard border will look like, but I can tell Members one thing: if they think that a couple of ‘border posts’ along the main road at Newry, the main road into Londonderry and the main road into Enniskillen will represent a hard border that will somehow protect the EU from the incursion of goods that they do not want, then they do not even understand what it means. It could be that they think that a hard border means a minefield around the border with watchtowers so that no lorries can sneak across the 300 or so roads, or that people cannot build sheds in the middle of field where they put goods in one side in Northern Ireland and they come out the other side in the Irish Republic. It is a ridiculous suggestion, yet it is thrown at us all the time.

We heard the right hon. Member for Broxtowe (Anna Soubry) talk about the impact on the border and that the World Trade Organisation would insist on the provisions because it would have to protect trade. The Irish Republic currently brings in goods from the rest of the world. Does it stop every container that comes in? No, it does not. Does it stop 10% of the containers? No, it does not. It does not even stop 1%. In fact, Gambia stops more trade coming through its borders than the Irish Republic stops. The idea that, somehow or other, every good that comes into the EU via Northern Ireland and then the Republic will have to be stopped does not even match with common-day practice.

When it comes to collecting taxes, 13,000 lorries a year cross the border carrying drink to other parts of the United Kingdom. There is duty to be collected on that, but not one of them is stopped because the duty is collected electronically through pre-notification and trusted trader status. We can protect the border and meet WTO rules without having all the kinds of paraphernalia suggested here tonight.

Kate Hoey (Vauxhall) (Lab): The right hon. Gentleman is quite right; there seem to be an awful lot of people who do not really understand what goes on at the border now. Why would anyone who supports Northern Ireland even think of voting against new clause 37 tonight? The new clause clearly puts it out there that we want Northern Ireland to be treated the same way as the rest of the United Kingdom, so in voting against it, people would actually be supporting the Republic of Ireland.

Sammy Wilson: That is the whole point of new clause 37. First, it would deliver on the promises made by the Government; it puts those promises into law. Secondly, it would avoid the break-up of the United Kingdom and the kind of nonsense that we are going to hear from the Scottish National party—that we can redefine the United Kingdom to exclude Northern Ireland when it comes to trade issues. Of course, that would be against the Belfast agreement, because the Belfast agreement does not actually say a great deal about borders, but it says a lot about the integrity of the United Kingdom—that it cannot be changed by diktat from the EU or by demands from Dublin. It can only be changed with the will of the people of Northern Ireland. Yet the suggested backstop arrangement is at the behest of the EU, which seems to disregard the most important part of the Belfast agreement and has destabilised Northern Ireland as a result.

Karin Smyth (Bristol South) (Lab): The right hon. Gentleman is of course right that the constitutional status of Northern Ireland has not been in dispute for a very long time and is underlined by the Belfast/Good Friday agreement. People have only started talking about the constitutional arrangements in Northern Ireland as a result of Brexit. That is the only thing that has now
started to trigger any discussion around the break-up of the United Kingdom, and I am afraid that his party has helped that process.

**Sammy Wilson:** That is the point that I am making—that this red herring has been thrown into the debate to try to persuade people like me and Government Members to stay within the customs union and the single market. It is a red herring because, as I have said, it is not essential to have a hard border to protect trade between the United Kingdom outside the EU and the Irish Republic inside the EU. Other methods are currently used. We have a fiscal border, a regulatory border and a currency border. We do not need checks at the moment, so why would that change once we leave the EU?

The third thing about new clause 37 is that it would actually strengthen the Prime Minister’s hand. When she goes into negotiations, Barnier and Co. will still be badgering her and insisting that there has to be a different regime of regulation, law and EU interference in Northern Ireland. It will strengthen the Prime Minister’s hand to be able to say that the Parliament of the United Kingdom has said in law, “We will not and cannot change the status of Northern Ireland. We cannot have separate customs arrangements for Northern Ireland and the law says that.”

New clause 37 would also protect Northern Ireland from being cut off from its biggest market. The Irish Republic is not our biggest market. The whole EU is not our biggest market. Over 60% of the produce of Northern Ireland comes to Great Britain. Ironically, if the Government in Dublin were thinking with their head, they would recognise that the Barnier formula for the border is also detrimental to the Irish Republic, because it would mean having a border down the Irish sea, cutting the Irish Republic off from its biggest market. Over 50% of its agricultural products come here, yet it is concerned about the paltry border that counts for 1.6% of its trade. People just fail to understand why this should be the case and why the Government of the Republic should take that view.

The Prime Minister has an opportunity. New clause 37 would strengthen her hand in the negotiations coming up to October. She still has the opportunity to tell the EU, “If you want our money, give us a fair deal. We’ll prepare for a no deal if we can’t get a good deal. The balance of trade rests with us. If you want access to our markets, make sure that we get access to your markets.” That should be the approach. Get the handbag out, do a bit of swinging and get a good deal.

7.45 pm

**Sir Bernard Jenkin:** I am very pleased to follow the right hon. Member for East Antrim (Sammy Wilson), who has put on the record a great deal of fact and truth about the way in which the Northern Ireland issue has been treated in the negotiations and by the negotiating parties. What he missed out in his remarks was that this was not an issue until the Varadkar Government were elected. The expectation was that there would be an invisible customs frontier in Northern Ireland. That was confirmed by Bertie Ahern when he gave interviews on the subject. It was confirmed by the head of the Irish customs organisation when he gave evidence to the Irish Dáil. It was confirmed by Jon Thompson, the head of Her Majesty’s Revenue and Customs, when he initially gave evidence to the Treasury Committee. This was not an issue until it was made an issue.

We are being asked to believe two extraordinary things. The first is that the Irish Republic itself might put infrastructure at the border of Northern Ireland, when the only reason that the Irish Republic recognises that there is a frontier between the Republic of Ireland and Northern Ireland is that it signed the Good Friday agreement—the Belfast agreement. Secondly, when President Juncker appeared in front of the Dáil a few months ago and was pressed to give an assurance that he would not force the Republic to put infrastructure at the border, he more or less gave that assurance. In fact, it was perfectly clear that he was not going to say, “We will force you to put infrastructure at the border;” so it is clear that the EU is not going to force anyone to put infrastructure at the border.

It is still the policy of the Government that we might leave even without a withdrawal agreement, on WTO terms. Under such circumstances, we will not put any infrastructure at the Irish border in Northern Ireland, and we will challenge the Irish Republic and the EU Commission not to do the same in the interests of peace in Northern Ireland. It is perfectly possible to manage an infrastructure-free customs frontier in Northern Ireland, and that is what will happen. It is pure obstinacy on the part of the Commission that it will not negotiate with the United Kingdom a free trade agreement on the basis of making an agreement with the whole United Kingdom, instead of excluding Northern Ireland.

**Kevin Hollinrake:** My hon. Friend is making some very good points. I certainly do not argue that we should be members of customs union, but the Freight Transport Association recently gave the example of a situation whereby a trailer full of 40 different consignments goes from Birmingham to Belfast, and then goes into 40 different white vans in Belfast. How does my hon. Friend propose that we would meet our responsibility to pay customs in such a situation?

**Mr Speaker:** Order. I am immensely grateful. May I encourage the hon. Member for Harwich and North Essex (Sir Bernard Jenkin) to draw his remarks to a close? He is within his time, but a lot of other people want to speak and I am being pressed by people who, quite understandably, want time. If the hon. Gentleman—with his brilliant eloquence and pithiness—could wrap up in a minute or two, that would be marvellous.

**Sir Bernard Jenkin:** Thank you, Mr Speaker. Just to answer my hon. Friend’s point, I think that we have to be practical. There will be a change in the way in which people treat consignments because they are crossing a customs frontier, but as the technology develops it will be possible to track individual consignments or multiple consignments in trucks across customs frontiers. We have discussed this matter with Revenue and Customs in this country. Ultimately, in future—looking ahead 10 or 20 years—the idea of customs frontiers existing between countries that trade tariff-free will become obsolete. To hinge our entire Brexit policy on the issue of not having customs declarations and customs frontiers is very last century, and we should not be captured by that.
My remarks are directed primarily at amendment 72, which I confess has turned out to be disappointingly uncontroversial. It was the intention of the European Research Group, a group of Conservative Back Benchers, to table four amendments—one or two of them in the light of the Chequers agreement and the White Paper—to test our understanding of the intention of Government policy. Every single one of our amendments, we believe, reflects Government policy. I do not imagine that the Government would have accepted any of them as calmly as they have if they did not reflect Government policy.

Mr Grieve: No, it is because they are useless.

Sir Bernard Jenkin: My right hon. and learned Friend, who seems to be becoming a remainer again, judging from his article in the Evening Standard—

Anna Soubry: Oh, come on.

Sir Bernard Jenkin: No, that is what he said. He said that we will have to rethink Brexit completely if we cannot get a satisfactory arrangement. That is the direction he is going in. I respect his view, but throwing around insults like “useless” is not elevating the debate.

My amendment 72 simply removes from the Bill an extraordinarily powerful Henry VIII provision that we should be signed up to a customs union with the European Union simply by order. Following the amendment that my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) tabled to clause 9 of the European Union (Withdrawal) Bill, I thought that what is sauce for the goose is sauce for the gander. I do not suppose that I shall hear him speak against my amendment, because it puts Parliament back in control of the decision to join a customs union with the European Union. That is what I think we should do.

Mr Speaker: Ahem!

Sir Bernard Jenkin: I end on this one point, Mr Speaker. We have heard a lot about 40 MPs having an excessive amount of influence in this Chamber. In fact, 17.4 million people voted to leave in the referendum, and 10% of Conservative MPs and 60% of Labour MPs represent leave constituencies. It would be bizarre if, in the end, the House of Commons, which was elected predominantly on leave manifestos, put up road blocks against leaving the European Union, and I do not believe that it will.

Mr Speaker: Thank you. The time limit will have to be reduced, with immediate effect, to five minutes.

Helen Goodman (Bishop Auckland) (Lab): I wish to speak to new clause 11 and against amendment 73.

Last week, we had a debate in Westminster Hall in which the Financial Secretary to the Treasury, who is back in his place, advised me that everything would become clear when the White Paper was published. I am afraid that for me, 70 minutes before we are going to vote, Government policy is still not quite clear. I am going to ask the Minister a few questions in the hope that we might get some clarification from him. I am interested in the interrelationship between the Bill and the White Paper, which was published last week.

Contrary to what some right hon. and hon. Members wish to say, the common market, which is the customs union, is fantastically popular with the public. Whenever I ask my constituents, “What do you dislike about Europe?” they say, “Being bossed around”, and “The immigration.” When I say, “What do you like about it?”, they say, “Oh, we love the common market.” Well, of course, the common market is the customs union. When I talk to industrialists, what they want—in the words of GlaxoSmithKline, which employs 1,000 people in my constituency—is “no disruption”. PPG Industries, which is a supplier to Airbus, wants a common rule book. When I spoke this morning to the North East chamber of commerce, it said that 90% of its members want to stay in the customs union. We know that legally speaking that is not possible, so we have to have a new one that will give them the “exact same benefits”.

I am not clear about whether the Bill facilitates the customs approach that is set out in the White Paper. Nor am I clear about which of the Government’s amendments have made changes to the Bill that will enable them to undertake the facilitated customs arrangement that they have described in the White Paper. Nor am I clear—I very much hope that the Minister will be able to explain this; I am sure that he now will be—about whether the Government’s proposed acceptance of amendments from the ERG means that they are abandoning the facilitated customs arrangement as their opening position or that they are still holding to it. If they are still holding to it, I would suggest that it is not wholly practical. It will need a tracking system so that when people import goods, they know where their final use is going to be. This is a whole new bureaucratic system. It means that people who import will have to have information along the supply chain that, at the moment, is of no concern to them. The White Paper says that there is going to be a formula so that we can follow the proportions from the past year, but what if things change from one year to another? Then people will have to make their rebates on the basis of new, fresh information in real time. It sounds very much as though we are going to have not only VAT but VAT mark 2.

Paragraph 20 on page 18 of the White Paper says: “This could include looking to make it easier for traders to lodge information. This could include exploring how machine learning and artificial intelligence could allow traders to automate. This could include exploring how allowing data sharing across borders” would work. It could include rather a lot of things. I can only imagine officials saying to Ministers when they were drafting this, “This does seem to involve rather a lot of imagination.” It does not seem to be bottomed out. I would much prefer it if we could go along the path set out by my hon. Friends on the Front Bench in new clause 11, because what is being proposed will be horrendously bureaucratic and an open invitation to smuggling.

Mr Grieve: There is one matter on which I agree with my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), and that is that this piece of legislation is needed if we are leaving the EU. That is the first basic point that needs to be made in considering this Bill on Report.

Then one has to consider why the Report stage becomes so controversial. The difficulty is that throughout the whole of this Brexit process, we are collectively going through an exercise in both deception and self-deception about the implications of leaving the European Union and the sort of relationship we may have thereafter.
My right hon. Friend the Prime Minister has produced a White Paper. It is far from perfect. It, too, continues with some of those obfuscations. I have to say. To give an example—I know that this has irritated many of my right hon. and hon. Friends—it talks about the common rulebook and then says, “Don’t worry—we will be escaping the jurisdiction of the European Court of Justice.” We may escape its jurisdiction, but I am the first to accept that the reality is that we are going to be bound by its jurisprudence, without any ability to influence how that jurisprudence develops. That is one of the costs that we are paying as a result of deciding to leave.

In exactly the same way, there are other costs that come from leaving and that we tend to brush under the carpet, including the economic costs that are going to come to this country. If we are going to make rational choices, we need to avoid continuing with exercises in self-deception. The reason I think it right to support the Prime Minister on the White Paper is that despite all the difficulties she has had, this represents the first sensible document to found a proper negotiation. I wish her well with it, even if I have criticisms of it, worry about the absence of services and a common market for that, and worry about some of its other aspects; nevertheless, it is well-intentioned.

Then I look at the four amendments tabled by some of my hon. Friends—36, 37, 72 and 73. The first thing to be said about them is that one—the one about Northern Ireland—correctly identifies an obfuscation that the Government have been practising for a considerable time. We and the European Commission are talking different languages when it comes to the backstop. I have no difficulty emphasising the fact that no Parliament of the United Kingdom is ever going to support a backstop that goes simply for Northern Ireland alone.

8 pm

I turn then to new clause 36 and amendment 73. The first thing that strikes me about them is that they are designed directly to undermine the White Paper, and the second is that they do not do the job, because they are inadequately drafted. Therefore, the second obfuscation is that the Government accepted amendments that they know cannot do what they are intended to do. Not only that, but they said so to my right hon. and hon. Friends and they have decided not to say, “Oh, in those circumstances we withdraw them,” but to persist with them because they are just an exercise in bullying. It is not my job as a Member of Parliament to put on the statute book clauses that are inadequate, incomprehensible and, on top of that, seek to undermine the Government. That is why I describe those two amendments as entirely malevolent and why I shall vote against both this evening.

Matt Western (Warwick and Leamington) (Lab): I rise to speak to new clauses 1, 11 and 12, and very much in support of a customs union.

I was surprised by the way the former Secretary of State, the right hon. Member for Haltemprice and Howden (Mr Davis), described the border between Detroit and Ontario, which I was lucky enough to visit in February with fellow members of the International Trade Committee. I witnessed something slightly different from what he witnessed. I did see friction—even on a very cold, icy day, people spent considerable time at the border. There is an X-ray building for pantechnicons, and vehicles are frequently taken out of queues to be examined. The situation there is not as simple as he suggested. To underline that—perhaps he is not aware of this—Canada is having to invest in a second bridge across the river between Ontario and Detroit to safeguard its businesses because of the delays they suffer.

I agree with the right hon. and learned Member for Rushcliffe (Mr Clarke), for whom I have huge respect. He described the great fear associated with what seems to be the pursuit of ideological goals or indeed personal ambition on the part of certain individuals. Importantly, for almost a year I have been trying to encourage businesses—the likes of Jaguar Land Rover in my constituency and others—to speak out. Businesses are terrified of doing that because they fear incurring the wrath of the public. They see it not as their responsibility but as ours, as elected representatives. However, in recent weeks, they have felt it necessary to speak out, and of course we have heard from Airbus and Jaguar Land Rover. On the rare occasions they speak, they do so softly, but it is important that we and the public listen to them.

It is far more important for us to listen to the likes of Jaguar Land Rover and BMW-Mini than—dare I say it?—to the right hon. Member for Uxbridge and South Ruislip (Boris Johnson). I think the public are beginning to see that—and to recognise that, among all the debate that goes on in this place, those business voices are starting to provide some clarity.

Businesses have waited for more than two years for the Government to give them some sort of direction in the face of uncertainty, which is a threat to them. I was interested to hear the hon. Member for Harwich and North Essex (Sir Bernard Jenkin). I respect him and his experience, but disruption and uncertainty are the greatest concerns for businesses, which have been reviewing their options for the past 24 months. Irrespective of where we end up in the coming weeks, they are already making decisions and looking at options abroad for future investment.

Anything that makes life difficult for businesses—anything that adds cost and time—makes them review their options and consider what is in their best interest. In the automotive sector and many others, businesses would not be so obviously viable if they had to incur the cost of additional tariffs under WTO rules. They will review a 10% or 4.5% tariff, cost it in and think, “Is it really best for us to stay in the UK?”

Hilary Benn: My hon. Friend speaks with great experience on these matters. Does he agree that small businesses may not be able to accommodate the additional costs he mentions from tariffs, rules of origin—we discussed those earlier—and customs declarations, which may exceed the profits they make on the goods they sell? Small and medium-sized enterprises would be most adversely affected by a no deal situation, which some Government Members argue we should contemplate with equanimity.

Matt Western: My right hon. Friend is right that SMEs, particularly in the component supply chain, are the most vulnerable to these sorts of changes. They are the most likely either to lose business elsewhere or to have to move abroad. I can give concrete examples where that has already taken place.
The right hon. and learned Member for Rushcliffe described the apparent view that the customs union is some sort of problem holding us back. He is right that it has not held us back. The likes of Germany, which exports 10 times more to China than we do, are in the customs union, which has not been to their disadvantage. As he said, we have witnessed the most phenomenal explosion in the success of the automotive industry in this country over the past 10 years—after 20 years of relative stagnation, it grew by more than 50% in that period.

In summary, where it is rare for businesses to speak out, we should listen. They do not intervene lightly in politics, in this country or elsewhere. The preservation of a true customs union is critical to safeguarding business and investment in this country, and that is why I support new clauses 1, 11 and 12.

**Justine Greening** (Putney) (Con): I should say first that I recognise the importance of the Bill and why it is necessary if we are leaving the European Union. However, many of the amendments reflect the fact that, regrettably, the White Paper simply does not represent the clearcut, deliverable strategy that I believe our country needs—it is a fudge.

As my right hon. Friend the Member for Chelsea and Fulham (Greg Hands) set out, remainers question why we are accepting so many rules while forfeiting the right to sit at the table where they are decided. I know that many of my colleagues who campaigned strongly to leave are equally unhappy and believe, with some merit, that people who voted leave in the referendum are simply not getting the kind of Brexit they feel would give our country the clean break it needs if it is going to be successful.

I spent a long time in business before I came to this place, and I know that if a strategy is to be successful, it needs to be clearcut and one that everyone can get behind. I may not agree with some of my colleagues about what the best strategy is, and I may not want to leave on WTO rules, but in the context of the White Paper it is important for us to listen to colleagues who are respected on this issue—perhaps none more so than my right hon. Friend the Member for Haltemprice and Howden (Mr Davis). Of course, he has been at the forefront of this deal’s development for the past two years, alongside my hon. Friend the Member for Weymouth and Witham (Priti Patel), for example, both paths have pros and cons, but both represent clear routes forward that are genuine strategies for our country.

My concern is that this place has reached stalemate. As this debate exemplifies, there are still deep divisions in people’s views, and I think we understand why. My view now is that, because of that stalemate, it is time for the British public to have the final say on the clear approaches we face on Brexit. We absolutely must settle this now if we are to move beyond Brexit and get on to the vital issues facing our country such as housing, a lack of social mobility and social care. That is what we should be aiming to do. I do not believe that we should have a compromise that simply has to be reopened and renegotiated later. I have reached my conclusion on the Chequers deal, and I know that colleagues will look more closely at it in the coming days. I leave Members to think on these words:

“Standing in the middle of the road is very dangerous; you get knocked down by the traffic from both directions.”

**Several hon. Members rose—**

**Mr Speaker:** Order. Several Members, all on the same side of the House, wish to speak. I suggest that the time limit be now reduced to four minutes, but it is not obligatory for Members to consume all four.

**Mr Rees-Mogg:** May I first thank my right hon. Friend the Member for Putney (Justine Greening) for making what I thought was a remarkably gracious speech, in quite a fevered atmosphere, and for putting both sides of the case so generously and kindly?

I want to speak to the four new clauses and amendments that I have supported and, in most cases, put my name to. They are broadly in line with Government policy, which is why the Government have accepted them. The new clause 37 relates to the Northern Ireland question. It is clearly Government policy that Northern Ireland should not be removed from the rest of the United Kingdom, and I think that to put that in legislation would be beneficial.

Amendment 72 relates to Henry VIII clauses. I agree with my right hon. and learned Friend for Beaconsfield (Mr Grieve)—or “beacon’s field”, as Benjamin Disraeli pronounced it—that we should not have Henry VIII clauses if we can possibly avoid them, as they are not good legislative practice. The fewer Henry VIII clauses we have, the better. I confess that I would have supported my right hon. and learned Friend in earlier Bills had I not thought that, in so doing, I would have caused suspicion on the other side of the European debate, with people wondering what on earth I was up to. However, I am very pleased that Henry VIII clauses are becoming less popular in the House.

Amendment 73 has been a topic of discussion in relation to no EU VAT regime. This is actually Government policy, as set out by my right hon. Friend the Secretary
of State for Environment, Food and Rural Affairs on “The Andrew Marr Show”, when he said that once we had left the European Union we would not be part of the EU VAT regime. The difference here is between acquisition VAT and import VAT. Import VAT is the normal way we charge VAT on third countries outside the European Union, whereas acquisition VAT is an EU system. Therefore, if we are leaving, it makes absolute sense to be out of this, and that fits with what the Government have said.

Mr Leslie: I do not quite see how the hon. Gentleman can say that that is compatible with the Government’s policy, given that the Chequers White Paper, which was published only last Thursday, states:

“To ensure that new declarations and border checks between the UK and the EU do not need to be introduced for VAT and Excise purposes, the UK proposes the application of common cross-border processes and procedures for VAT and Excise”.

How is his proposal in any way compatible with Government policy?

8.15 pm

Mr Rees-Mogg: I can merely appeal to how this was set out by my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs, who said that we would not be part of the EU’s VAT regime. VAT is not collected at the border; it is collected via statements from people who import and then send in returns in relation to their VAT. This would enforce a uniform system across all our VAT collection—that is the purpose. If a Minister states that that is Government policy, it is good enough for me, and if it is Government policy to have that in law, it seems quite sensible. Therefore, not having a clause that is contradictory to Government policy simply flows from that.

I want to focus on new clause 36, which has attracted the most controversy in this debate. The importance of the new clause is that it would actually allow the Government to run their trade policy. Trade remedies, which were mentioned by my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), would not be possible if the new clause were not implemented, because that position would simply allow for goods to be imported into the UK via other EU member states and not subject to any anti-dumping measures that we might have taken.

Right hon. and hon. Members might be aware that in 2016 we bought £42 billion-worth of imports from Holland and £26 billion-worth of imports from Belgium. That was not entirely clogs and chocolates; it was, in fact, re-imports of goods that had come through the major ports in the low countries and through to the United Kingdom. That is a major gateway of goods into the EU that then come to the UK. If we have our own trade policy, we must be able to ensure that those goods are subject to our duties, in terms of revenue collection and protection, but also in terms of anti-dumping measures, if we choose to take them. Otherwise, we would find that we were simply following anti-dumping measures implemented by the European Union and had no independent policy.

The point of reciprocity also seems to me to be fair. If we are to say to the European Union, “We will collect your taxes and remit them to you,” that is potentially a large amount of money to be sending to the European Union, giving up all the duties that would fall to us as a result of goods entering the 27 remaining member states. Should we really be afforded to do that? What is happening to that revenue, in terms of our independent trade policy, not if we want anti-dumping measures, but if we want to lower prices?

Several hon. Members rose—

Mr Speaker: Order. I think that three minutes will now suffice.

Mr Djanogly: Let me start by saying that, to my mind, the European Research Group’s amendments are clearly aimed at restricting the Government’s ability to negotiate, if indeed they are compatible with the White Paper at all—a White Paper that I support. Amendment 73 and new clause 36 certainly fall into that category. I think that they have been tabled by those who wish to create such difficulties and red lines that we are forced into a hard Brexit, ostensibly by default but secretly by design. They will not have my support tonight.

I want to address the claims of those who say that we do not want the FCA, or indeed a customs union, because we cannot then strike our own trade deals. I note that the Government maintain that we should be able to separate goods from services, but others caution against that because goods and services are often so intrinsically linked that it is unrealistic. I will wait to see the EU’s position.

However, on the central issue of negotiating our own FTAs, I think that we need to question the benefits that so many seem to be taking for granted. First, we need to appreciate that the Department for International Trade is currently acting like something of a Jekyll and Hyde character—on the one hand the Secretary of State is talking about bravely striding around the world seeking new FTAs with countries such as the US and China, but on the other he is pleading with the EU and about 70 third-party countries to roll over the existing 40 or so FTAs that the EU now has with them. So, with more than one third of the world’s countries, Brexit represents the chance at best to get the same deal as from the EU. From the look of things, we may yet get a worse deal in some cases as those third countries start evaluating the decreased advantage of dealing with 50 million rather than 500 million people.

Secondly, there is little evidence that business sees any advantage in customs differentiation—indeed, quite the opposite. The vast majority see advantages in our customs negotiating position, which emanates from the power of the huge trading bloc that the EU represents, and will wish in any event to stick as closely as possible to whatever trading position the EU takes.

Thirdly, world trade is much more interlinked and complex than most people discuss. For example, some of the existing trade agreements that we want to roll over, such as those with Canada and South Korea, feature most favoured nation clauses. Therefore, if we agree a FTA with the USA that offers better terms than those we agreed with Canada, Canada would need to be offered the same. The advantages of being outside the customs union are thus much reduced in any event, and talk of becoming a colony or vassal state is ridiculous.
Fourthly, we live in a world of trading deals where size matters. Rather than discussing a trade deal with the US, we have become caught up in a trade battle. Again, if we were in a customs union, we would have more cover.

Finally, the process of negotiating new FTAs is a long and arduous business. The average time is seven years; Canada took 15 years. Bargaining is tough and based on potential market clout. That goes back to the possibility of US chlorinated chickens and so forth.

We need—

Mr Speaker: Order. I am extremely obliged to the hon. Gentleman, to whom I could always listen at length, but we must move on.

Kevin Hollinrake: I want to speak against new clause 1, which my right hon. Friend for Broxtowe (Anna Soubry) tabled.

Among many points my constituents have made to me in the past few weeks, they have asked why the House cannot work together on Brexit. I suppose the simple answer is that our biggest challenge—what divides us most—is not acceptance of the result of the referendum on 23 June 2016, but its practical interpretation as the basis for our future relationship with the EU.

Parliament is bound by our promise on Brexit, but perhaps it also needs to accept some key principles, which reflect the promises that were made during the referendum campaign. Where better to look for those promises than the voice of the official body that argued for Brexit—Vote Leave? On trade, the Vote Leave manifesto was clear:

“We take back the power to make our own trade deals”.

On that basis, it is clear that we must not remain part of a customs union as that would prevent us from directly negotiating and implementing trade deals. It is therefore strange that being part of a customs union seems to be Labour party policy, which goes right against the clear mandate that the people gave us.

There were other commitments in the Vote Leave manifesto, for example,

“one thing which won’t change is our ability to trade freely with Europe.”

On that basis, it is fair for businesses, and the people whose jobs rely on those businesses, to assume that nothing will change. Of course, Members have made the point that other countries manage to have just-in-time supply chains when they have a customs border, but most countries have not been part of a trading environment for 44 years in which they have not carried the burden of those complexities.

We know from Ricardo’s theory of comparative advantage that businesses have a choice to station themselves here or move jobs to other parts of the EU because extra costs will ensue if they do not: costs for customs checks and for checks on standards. I believe that staying part of a customs union is not consistent with the mandate that the people gave us, but that the White Paper, as articulated by the Prime Minister, deals with our obligation to leave the EU while also minimising the costs of comparative advantage. The House should support it.

Mr Speaker: Two minutes are preferable to three.

Charlie Elphicke: In the referendum campaign, the Home Office told my constituents that the jungle would move from Calais to Dover. The former Prime Minister said that there would be queues of lorries and gridlock on the way to Dover—a mantra that the Labour party took up. The Treasury told my constituents that they would lose their jobs and their homes to boot in a calamitous disaster.

Despite that level of fear, my constituents believed in the opportunity that lay before them. Two thirds voted to leave the EU. Why? Because they believed in the kind of opportunities and the kind of Britain that we can build. They believed in better. They believed in the future, in our sense of nationhood and independence and in the country that we could build: independent and out in the wide world. It is important to remember that, because change does not come easily; it takes political courage.

Our voters have shown more courage than far too many Members of this House, who fear change and are afraid of grasping opportunities and what the world offers. Our voters better understand the need for that courage. They can look at the figures and see that the EU has been in relative decline in the past few decades, going from 30% to just 15% of GDP. [Interruption.] The spokesman for Brussels, the right hon. Member for Carshalton and Wallington (Tom Brake), does not like those figures, but they are true. Our voters also know that 90% of future economic growth in the world will come from outside the EU. That is why it is so important to believe in better, back our constituents and make a success of Britain out in the world—a global Britain.

Vicky Ford: We are leaving the EU and that means that we need to have a new relationship with the single market and the customs union—we cannot carry on as we were before. However, leave voters were told time and again that trade would continue and that having customs clarity was important to that trade.

I want to dispel some myths. First, zero-tariff regimes are not the same as no-tariff regimes. A no-tariff regime, which we have now, means no customs declaration and no rules of origin. A zero-tariff regime means both. That is why I am glad that the White Paper says that we will have no customs declarations and no rules of origin.

On myth two, we do not need to be in a customs union to resolve the rules of origin issue. That can be done through a PEM convention. On myth three, being in a single rulebook on goods does not stop us from doing trade deals with other parts of the world—just look at Switzerland. On myth four, trading on World Trade Organisation rules means that there will have to be a goods border in Ireland, otherwise the UK will breach our agreements with other trading partners, as will the EU. On myth five, just-in-time delivery of goods coming from China, which takes four weeks at sea, is not the same as just-in-time delivery across the channel.

I support some of the amendments. New clause 37 on no hard border in the Irish sea makes sense. Amendment 72 also makes sense. However, I am concerned about amendment 73. I do not like the EU VAT regime, but we need more clarity on that. On new clause 36, I agree we need a balanced approach on tax collection, but how it is worded is very unclear. I do not understand how the
word “reciprocity” works in a legal framework when it is country to country versus us to EU. There needs to be a much clearer legal basis.

Mr Speaker: There is one minute.

Jack Brereton (Stoke-on-Trent South) (Con): I want to focus on trade remedies. This is particularly important for the ceramic sector in my constituency, so I am absolutely delighted that the Government have listened to the arguments I have been making over the past year and secured clarifying amendments on trade remedies that, critically, will deliver the right Brexit for the ceramic sector, for wider manufacturing industry, and, most importantly, for the workforce and the voters of Stoke-on-Trent.

The Government have tabled several critical amendments. I was very pleased last week to have an answer to a written question providing confirmation on establishing normal value. That is so important to resisting the dumping of ceramic products from China. Significant state subsidisation by China, particularly in the ceramics, threatens British industry, so I am pleased that the Government have listened to those arguments and, through their amendments, have taken action.

8.30 pm

Kirsty Blackman (Aberdeen North) (SNP): Given that there may not be a Third Reading, I will start very briefly with some thank yous. I would like to thank Scott Taylor, one of our researchers. I would also like to thank the work of the Public Bill Office, particularly that of Colin Lee and Gail Poulton, who have been absolutely excellent in their support to all of us who have been here throughout the passage of the Bill.

I want to talk about the history of the Bill and how we got to this point. We had the Committee stage earlier this year. On the Saturday morning after it finished, and almost out of the blue, the UK Government announced that they would not be entering into a customs union. They clearly did not think it through, bringing out the announcement at the most stupid time: after all the debates in Committee. It was totally ill-thought-out.

We then had the Chequers agreement on 6 July. The White Paper was published on 12 July, which Members will note was the day after the amendments were tabled to this Report stage of the Bill—we all had to table our amendments before we had actually seen the White Paper. I thank the Minister for coming to Westminster Hall to give us some level of reassurance, but pretty much all the reassurance he could give was, “Please look at the White Paper that’s coming out on Thursday.”

It has, therefore, been really difficult to prepare for the Bill. It has been really difficult to write this speech, trying to game exactly what is going to happen tonight. I am still not clear.

There are too many factions in this House. We have the UK Government, the Conservative remainers, the European Research Group, the Democratic Unionist party, the Labour leavers, the Labour remainers and the Labour Front Bench. The UK Government will not support things put forward by anybody who supports remain. The Labour Front Bench will not support anything put forward by the Conservative remainers. The members of the ERG will not support anything put forward by anybody except themselves. The Democratic Unionist party will support whatever the UK Government tell it to, on the basis that it is being paid to do so. It is a complete shambles. Trying to do anything sensible in this House is incredibly difficult, especially given that we know there is a majority for a customs union among the Members of this House. Despite that, we are going to end up in a situation where members of the ERG, who believe in the polar opposite of a customs union, are having their amendments accepted. When the rest of us put forward anything vaguely sensible, our amendments are not accepted.

This is certainly not about sovereignty for the people or sovereignty for Parliament; it is about sovereignty for a very small group of elite Tories who want to have their say. The Government are letting them have their say. I could not be more angry about the fact that the ERG’s amendments are apparently going to be accepted. I do not want to direct all my ire at those on the Government Front Bench. Those on the Labour Front Bench need to be absolutely clear on their position. They need to be clear that they will support the softest possible Brexit. If they are talking about a jobs-first Brexit, they need to recognise the benefits of the customs union and the single market. They have the opportunity to do that tonight by supporting some of the amendments that have been tabled by those who support a soft Brexit.

The Scottish National party does not support fully a number of amendments that we plan to vote for tonight. Our position is that Scotland voted to remain in the EU, so we would like to remain in the EU. Scotland supports remaining in the single market and the customs union, so the SNP will support anything that keeps us in the single market and the customs union. In the absence of those options being on the table, we will do what we can to protect the economic and cultural interests of the whole United Kingdom. Even though some of the amendments are not brilliant, we will vote for anything that makes Brexit slightly softer than the Brexit that is being proposed. I needed to make it clear that just because we support an amendment here does not mean that it is a preferred option. It means that it is not quite as bad as some of the other options.

I make it clear that I will press new clause 16, in my name and the names of my colleagues, and I would also like to speak in favour of our other amendments. The SNP position is crystal clear, as I said. The UK Government position is not. I welcome some clarity that is given in the White Paper that was published after Chequers, but I have major concerns about some of it. It mentions specifically a trusted trader scheme. On the trusted trader scheme that we have—the authorised economic operator scheme—I have raised concern after concern about it, and I am not the only one; organisations such as the British Chambers of Commerce have, too. If there is to be an expanded trusted trader scheme, it needs to actually work. It needs to be applicable to small businesses and businesses need to be able to access that scheme. We are now at the stage that businesses should know what those schemes are. If the Government are going to bring them forward, they need to do so as quickly as they possibly can so that businesses can be clear on what basis they will be trading in future. That is really important.
I am pleased to see that diagonal accumulation has been recognised in the Chequers agreement. I have been talking about it for some time, and I am really glad that it has been recognised and that we will have a situation where we will possibly still be able to export cars to South Korea, because that is really important for our car industry. I am pleased that the Government have now made it clear that they are pursuing that.

Protective geographical indicators are also mentioned in the Chequers White Paper. I am slightly concerned about the way the Government are going on this. It would be very good to have more information around that. A PGI scheme that applies only to the UK and does not recognise EU PGIs is a bit of a problem, so we need more clarity from the UK Government on how they intend the PGI scheme to work. I know that there is a negotiation, but if we could have their point of view first, that would be very useful.

I want to briefly mention some of the other meat in the Bill and something that the British Retail Consortium brought to us. It encapsulated some of the issues with the Bill very neatly. It said that there are not yet agreements on security, transit, haulage, VAT and people and that we need mutual recognition on veterinary, health and other checks with the EU. It seems that the Government are pursuing some of this, so that is good news. We need investment in IT systems to deliver the customs declaration system. Again, I am still not convinced that this will come through in time, so if the Minister could give reassurance that it will, I would very much appreciate it. We need co-ordination between agencies at ports and borders, as well as investment and capacity and staff at ports. The Government have not done enough on both those things. They have not put the extra resource into ports. They have not told ports how they will be administering these things in the future. If ports are going to have to massively increase their staff numbers, they need to know now how they will do that.

On queuing, a two-minute delay at Dover will create a 17-mile queue, so it is not as though Operation Stack will just happen as normal. This will not be Operation Stack. It will be an incredibly large version of it, and Operation Stack was bad enough. The BRC also mentioned AEOs, particularly in relation to small and medium-sized enterprises. All those things are still concerns about the Bill and I will raise them on Third Reading, if we have a Third Reading debate, because I do not believe that the Bill is fit for purpose as it is.

I specifically want to talk about the new clauses from the ERG. If the UK Government are bound to accept amendments by a group of around 14—who knows how many of them there are?—ERG members to get a hard Brexit is absolutely ridiculous. If there is going to be a Brexit, we need a Brexit that does what the Labour party suggests it should do: protects jobs. We need the Labour party to support a Brexit that protects jobs as well, not just us.

The Bill is a mess. It does not do what it set out to do, which is replicate the union customs code, and it does now do what the Chequers agreement said it would on Friday. We need everybody in the House, from all the various factions I mentioned earlier, to get behind proposals that protect jobs and the sovereignty of the people, not just the sovereignty of an elite few.

Peter Dowd (Bootle) (Lab): I read the White Paper on the train home on Thursday, if only out of a sense of morbid curiosity, but following the Prime Minister’s capitulation to the Brexiteers today, that curiosity has turned to a sense of the macabre. To begin with, we had the woman in the bunker with the blacked-out windows, going we were outward facing. Are we? This from the Prime Minister who invented a hostile environment for the Windrush generation and for disabled people claiming their rightful benefits and whose Government have been on the wrong side of the law more times than Arthur Daley.

The Prime Minister went on to state that we had a dynamic and innovative economy. Do we? Our economy is 35% less productive than Germany’s; we invest less and we have the most regionally imbalanced economy in Europe. Growth is sluggish and inflation stubborn. And on it goes—it gets more surreal. She says we live by common values of openness and tolerance for others and the rule of law. Really? The only thing the Conservative party is open to and tolerant of is big fat donations from Russian oligarchs. But here is where it gets really interesting. When she speaks about sticking to our principles, one has to wonder which principles she is referring to—the ones she referred to yesterday and which are enshrined in the White Paper or those she holds this afternoon, which tear the White Paper to shreds. Perhaps the Minister can enlighten us.

The Prime Minister wanted to deliver an ambition to “once and for all” strengthen our communities, our Union, our democracy and our place in the world. I will take those claims one by one: our communities have been ripped apart by austerity; our Union is in danger from Ministers out of touch with the needs of any nation and afraid to move away from their desks in case someone else takes it; our democracy is threatened by swathes of Henry VIII powers; and our place in the world is a laughing stock due to the Prime Minister’s supine sycophancy to Donald Trump, who humiliated her.

The White Paper—what is left of it—came from the pen of a Prime Minister obsessed with silly soundbites. She used to talk about “Labour’s magic money tree” until she wanted a magic money tree of her own with which to bribe the Democratic Unionist party, when that phrase was quickly ditched. What about the infamous “strong and stable” mantra? It turned out to be more like a strong and stable smell of panic during the election and was ditched as well. Finally, it seems that this White Paper has also been ditched.
As for Northern Ireland, I present, the buffer zone—a 10-mile-wide area along the entire boundary between Northern Ireland and the Republic. Under the EU’s trading rules, to be operational this buffer would have to be policed on both sides of the 10-mile divide. Did we really spend decades trying to get rid of divides in Northern Ireland only to resurrect them? I think not. As for the facilitated customs arrangement, we are not clear what about it constitutes a partnership, as it would effectively leave UK customs officials working to maintain a customs union that we are no longer a part of.

Regardless of who is responsible for managing the duties, it remains unclear how the FCA would be frictionless. Presumably, the final destination of goods would have to be queried as they enter the UK. This would slow down the passage of goods across our borders and prevent intricate supply chains from functioning properly. It would lead to waste, uncertainty and expense for business, to higher prices for consumers and to job losses and production moving abroad, as the right hon. Member for Broxtowe (Anna Soubry) pointed out. In that regard, the comments from the hon. Member for Gainsborough (Sir Edward Leigh) were unconscionable.

What about the UK border? Does the Minister expect checks to be in place to ensure that goods that claim the UK as their final destination are not diverted into the EU once they arrive? Presumably, we would need customs checks and controls between the EU and the UK to reconcile goods to documents when, for example, UK anti-dumping duties exceed those applicable on import. Can the Minister clarify? Can he tell us how many trusted traders—the ‘Tories using the word “trusted”; that’s a laugh, isn’t it?—are currently registered with the Government’s scheme and how many they believe will be registered by the end of the transition period?

Of course, all this can be avoided if the House chooses to support Labour’s clear and pragmatic solution to the issues of frictionless trade within the EU and preventing a hard border in Northern Ireland. New clause 11 presents Labour’s practical solution to the problems that have confounded the Conservatives. In our new clause, we call on the Government to negotiate a new customs union with the European Union, to be in place when we leave the current customs union at the end of the transition period. That is the only way to ensure that we can have frictionless trade with our largest trading partner and help to prevent a hard border between Northern Ireland and the Republic. It is what business needs and producers want, and it is what would most benefit the public.

8.45 pm

I encourage Members on both sides of the House—even the Chancellor, who is muttering away there—to support our new clause, which will ensure that the Government negotiate a settlement that puts both the British economy and the Good Friday agreement first. What we will not countenance are new clause 36 and amendment 37: we are not having those.

There is no greater evidence of the need for robust trade remedies than the current global climate. We are witnessing the familiarities and the old certainties of free trade being laid waste by a United States President who is committed to imposing protectionist tariffs on the rest of the world: a United States President who rebuffs diplomacy daily in favour of angry tweets late at night, who favours confrontation over co-operation and who is willing to exchange open markets for the very real threat of trade wars.

This uncertain climate makes it all the more important for the Government to adopt trade remedies—more important than ever. It is no exaggeration to say that without robust trade remedies, the UK faces the spectre of whole sections of our economy being wiped out, destroyed by punitive tariffs and undercut by state-sponsored dumping. The reality is that when countries engage in trade wars or trading one protectionist tariff for another, at risk are the very jobs and industries on which communities across the country rely. As we pointed out on Second Reading and in Committee, the remedies proposed in the Bill remain pitiful, to say the least. They are far weaker than the remedies currently in place at EU level, and will leave the UK worse off than most developed trading nations.

While there is a clear case for assessing the economic impact of trade remedies on key sectors of the economy and exports, the establishment of an undefined public interest test is more worrying. As the Bill stands, the Secretary of State could argue that flooding UK markets with cheap chlorinated chicken from the United States is in the public interest, or that cheap aluminium wheels from China would lower the cost of cars and would therefore also be in the public interest. Our amendment 21 would reverse the burden of proof, strengthening the Trade Remedies Authority and forcing the Secretary of State to produce overwhelming evidence if he decides to ignore state-sponsored dumping and its trade-distorting impact.

The Government are in a state of panic, chaos and capitulation. That is why the Chancellor, at the 11th hour, has chosen to table a flurry of amendments—but it is a bit too little, too late. As for parliamentary oversight, the Bill reflects yet another encroachment on parliamentary sovereignty and parliamentary scrutiny. It seeks to rob the House of Commons of its right to scrutinise the UK’s future trade and customs policy. The International Trade Secretary, not the House, would have the final say over whether the UK adopts trade remedies to protect key industries. While the Government seek to sideline the House, the Opposition’s new clause 13 would empower it.

We have reached a crossroads in the Brexit negotiations. This dysfunctional and divided Government cannot continue to ignore the blindingly obvious fact that a new customs union is the only way in which to ensure frictionless trade and access to the single market. I say this to them: if they cannot get a grip, they must get out.

Mr Speaker: I call the Financial Secretary to the Treasury, Mel Stride, but, as I do so, I must advise the House that the right hon. Gentleman is accompanied tonight, on his 13th wedding anniversary, by his good wife Michelle and their daughters Ophelia and Evelyn. It is an unusual way to spend the evening, but we hope they are enjoying it and we look forward to hearing the right hon. Gentleman.

The Financial Secretary to the Treasury (Mel Stride): Mr Speaker, that is quite an introduction; thank you most graciously for your lovely comments—you will no doubt be injecting some zip into my marriage.
The Government have been clear that when we leave the EU we will leave the customs union; this is a matter of fact. And when considering the end state, the Government will not be seeking to negotiate any form of customs union. The Government proposal will create a UK-EU free trade area which establishes a common rulebook for industrial goods and agricultural products. This will maintain common high standards in these areas, but also ensure that no new changes take place in future without the approval of Parliament. As a result, we will avoid friction at the borders and protect jobs and livelihoods, as well as meet our commitment to Northern Ireland. We are proposing a new business-friendly customs model with the freedom to strike new trade deals around the world, a facilitated customs arrangement.

Paul Farrelly (Newcastle-under-Lyme) (Lab): I wish the right hon. Gentleman—my old friend, who was my former economics tutorial partner at university—a happy anniversary, but why are services less important than goods?

Mel Stride: Services are most certainly not less important than goods; they make up about 80% of the economy and we will retain greater freedoms in terms of being able to do deals around the world in that respect. But under this approach, the UK will apply its own tariffs and trade policy for goods intended for the UK and the UK’s tariffs and trade policy for goods intended for the EU. This option meets the UK’s strategic objectives for our future customs relationship with the EU.

Mr Kenneth Clarke: I congratulate my right hon. Friend on his wedding anniversary. He has mentioned the facilitated customs arrangement, which is the point of the White Paper. In describing it, the White Paper states at paragraph 17:

“However, the UK is not proposing that the EU applies the UK’s tariffs and trade policy at its border for goods intended for the UK,”

and also says we are not expecting it to be replicated in Europe. New clause 36 directly contradicts that. I gather that there are legalisms that the people who advised on the White paper no doubt did not consider when we put in the reference to reciprocity. Now my right hon. Friend is going to give us legalisms as to why it does not matter if we take reciprocity. The political point of these amendments is to destroy the White Paper and the arrangements it proposes. If he accepts them, their supporters will come back for more. Why does he not vote against them and leave them in the tiny minority in the House of Commons, that they actually represent?

Mel Stride: I thank my right hon. and learned Friend for that intervention. I have very little time, but I will come on to his point. The main point is that one has to read paragraph 17a of the White Paper in its entirety to grasp its full meaning, rather than take one part of it. I will now address the amendments before us today. New clause 1 and consequential amendment 2, as spoken to initially by my right hon. Friend the Member for Broxtowe (Anna Soubry), would establish a negotiating objective for the UK to maintain its participation in the EU customs union and make the commencement of parts 1 and 2 of the Bill conditional upon the outcome of those negotiations. I have already set out that the UK leaving the EU customs union is a straightforward legal consequence of leaving the EU, so the Government must reject these amendments, as well as amendment 1.

The same applies to other amendments before us today: new clauses 1, 3, 4, 11 and 12 and their various consequential amendments, as well as amendments 8, 9, 12 and 14, but that does not mean that we will not seek to enter into a business-friendly and pragmatic arrangement that maintains trade that is as frictionless as possible between the UK and the EU27 as part of our future partnership with the EU. That is because this Government fully recognise, as was set out so eloquently by my right hon. Friend the Member for Broxtowe, the vital importance of the EU as a trading partner that in turn supports the economy and jobs and prosperity throughout the UK.

Let me now turn to new clause 36, tabled by my right hon. Friend the Member for Witham (Priti Patel), which would prevent the implementation of a new arrangement that would see HMRC accounting for duty collected by HMRC to the Government of another territory or country unless the arrangement was reciprocal. The Government have been clear in the White Paper that under their proposed facilitated customs arrangement, the UK and the EU would agree a mechanism for the remittance of relevant tariff revenue. The UK proposes a reciprocal tariff revenue formula taking account of goods destined for the UK entering via the EU and of goods destined for the EU entering via the UK. The White Paper itself states:

“The UK and the EU should agree a mechanism for the remittance of relevant tariff revenue. On the basis that this is likely to be the most robust approach, the UK proposes a tariff revenue formula, taking account of goods destined for the UK entering via the EU and of goods destined for the EU entering via the UK.”

New clause 36 is consistent with the Chequers proposal and the White Paper, so the Government are content to accept it—

Amber Rudd (Hastings and Rye) (Con): Will the Minister give way?

Mel Stride: I will not give way, no. [HON. MEMBERS: “Give way!”] I have a lot to cover, and I will not give way.

Amendment 72, tabled by my hon. Friend the Member for Harwich and North Essex (Sir Bernard Jenkin), seeks to ensure that clause 31 cannot be used to form a customs union between the UK and the EU without primary legislation. As I have set out, the Government have been clear that as we leave the European Union, we will also leave the EU’s customs union, so the Government have no objection to this enhanced level of parliamentary security. —[Interruption.] I have four minutes remaining, but I will take one intervention if it is brief.

Amber Rudd: My right hon. Friend will be aware that there is some concern on this side of the House regarding new clause 36. He has set out why he is prepared to accept it, but will he reaffirm for those of us on both sides of the House who have those concerns that this will not impact on the negotiating strategy of the UK Government?

Mel Stride: The negotiating strategy of the UK Government is to seek reciprocity in this respect, and that is set out very clearly in the White Paper. Importantly, amendment 72 does not interfere with the Government’s purpose. We have no objection to the principle behind the amendment and we therefore accept it.
Amendment 73, tabled by my hon. Friend the Member for South Thanet (Craig Mackinlay), will remove a specific power that will enable HMRC to make regulations covering the application of VAT to goods in circumstances where we reach a customs union agreement with other customs unions or territories under clause 31. The Chequers agreement does not propose such an arrangement with the European Union as part of the future economic partnership, so the Government accept this amendment.

The effect of new clause 37, tabled by my hon. Friend the Member for Tewkesbury (Mr Robertson), would be to ensure that Northern Ireland would not form part of a separate customs territory from Great Britain. This new clause is a straightforward statement of Government policy. It ensures that the Government will not act in a manner incompatible with the commitments made in the joint report of December last year, when we committed to protecting the constitutional integrity of the United Kingdom, as well as to turning the joint report commitments into legally binding form. The Government also accept this new clause.

I shall turn now to our future VAT arrangements with the EU. New clause 2 seeks to establish a negotiating objective to maintain the UK’s participation in the EU VAT area. This would limit our ability to appropriately consider our future VAT policy, and for that reason we reject it. The Government are also making an amendment to a schedule to the Finance Act 2008. Amendment 83 is consequential on the new customs framework provided for in the Bill and is necessary to ensure certain excise penalties remain in place on EU exit.

I now wish to turn briefly to the powers in the Bill. It is critical that we have these powers to allow us to respond flexibly, but we accept that in some cases it may be considered proportionate to apply the made affirmative procedure, and I am grateful for the discussion that I have had with my hon. Friend the Member for Eddisbury (Antoinette Sandbach) in this regard. It is on this basis that the Government have brought forward amendments 75, 76, 79, 81 and 23, which apply the made affirmative procedure to the powers under clauses 30, 42 and 47—the powers to make general provision in relation to import procedure to the powers under clauses 30, 42 and 47—the duty and to deal with retained EU VAT and excise law.

Clause 25 permits disclosures for customs duty purposes and makes it clear that disclosures that would contravene the Data Protection Act 1998 are not permitted. We accept the Scottish National party’s amendments 33 and 34, which seek clarity in that regard.

Finally, we have had a full, robust and comprehensive debate today, as is entirely appropriate for a Bill of such importance. It is important for our ability to continue as one of the world’s great trading nations after our departure from the EU and to accommodate our future customs arrangement within our future economic partnership with the EU.

Mr Speaker: For one sentence, I call Anna Soubry.

Anna Soubry: New clause 36 and amendment 73 are designed not to help the White Paper, but to wreck it. I am going to try to help the White Paper, which is why I seek leave to withdraw new clause 1.

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Hollinrake, Kevin
Hollonbone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
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
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Alan
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
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
Merriman, Huw
Metcalf, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mundell, rh David
Murray, Mrs Sheryl
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
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
Purgslove, Tom
Quin, Jeremy
Quince, Will
Raab, rh 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
Scoully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shebroke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, rh Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
Streeter, Mr Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Symes, 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
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
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 Noes:
Wendy Morton and
Mike Freer

Question accordingly negatived.

New Clause 13

ENHANCED PARLIAMENTARY PROCEDURE

“(1) No regulations to which this section applies may be made except in accordance with the steps set out in this section.

(2) This section applies to—

(a) the first regulations to be made under—
   (i) section 8 (the customs tariff);
   (ii) section 9 (preferential rates under arrangements) in respect of any country or territory outside the United Kingdom; and
   (iii) section 39 (charge to export duty);

(b) any other regulations to be made under section 8 the effect of which is an increase in the amount of import duty payable under the customs tariff in a standard case (within the meaning of that section);

(c) any other regulations under section 9 the effect of which is an increase in the amount of import duty applicable to any goods set by any regulations to which paragraph (a)(ii) applies;

(d) any other regulations under section 39 the effect of which is an increase in the amount of export duty payable;

(e) any regulations under—
   (i) section 10(1) (preferential rates given unilaterally);
   (ii) section 11(1) (quotas);
   (iii) section 13(5) (dumping of goods, foreign subsidies and increases in imports);
   (iv) section 14(1) (increases in imports or changes in price of agricultural goods); and
   (v) section 15(1) (international disputes).

(3) The first step is that a Minister of the Crown must lay before the House of Commons—

(a) a draft of the regulations that it is proposed be made;

(b) in respect of regulations to be made under section 9 to which this section applies, a statement of the terms of the arrangements made with the government of the country or territory outside the United Kingdom;

(c) in respect of regulations to be made under section 10(1), a statement on the matters specified in subsection (4);

(d) in respect of regulations to be made under section 11(1), a statement on the matters specified in subsection (5);

(e) in respect of regulations to be made under section 14(1), a statement of the reasons for proposing to make the regulations;

(f) in respect of draft regulations to be under section 15(1)—
   (i) a statement of the dispute or other issue that has arisen; and
   (ii) an account of the reasons why the Secretary of State considers that the condition in section 15(1)(b) has been met.

(4) The matters referred to in subsection (3)(c) are—

(a) the proposed application and non-application of the scheme to each country listed in Parts 2 and 3 of Schedule 3;

(b) any proposed conditions for the application of the lower rates or nil rate; and

(c) any proposed provisions about the variation, suspension and withdrawal of the application of the lower rates or nil rate.

(5) The matters referred to in subsection (3)(d) are—

(a) in respect of any case where the condition in section 11(2)(a) is met, a statement of the terms of the arrangements made with the government of the country or territory outside the United Kingdom; and

(b) in respect of any case where the condition in section 11(2)(b) is met, a statement of the reasons why the Treasury consider it is appropriate for the goods concerned to be subject to a quota.

(6) The second step is that a Minister of the Crown must make a motion for a resolution in the House of Commons setting out, in respect of proposed regulations of which a draft has been laid in accordance with subsection (3)—

(a) in respect of draft regulations to be made under section 8 to which this section applies—
   (i) the rate of import duty applicable to goods falling within a code given in regulations previously made under section 8 or in the draft of the regulations laid in accordance with subsection (3);
   (ii) anything of a kind mentioned in section 8(3)(a) or (b) by reference to which the amount of any import duty applicable to any goods is proposed to be determined; and
   (iii) the meaning of any relevant expression used in the motion.

(b) in respect of draft regulations to be made under section 9 to which this section applies, the rate of import duty applicable to goods, or any description of goods, originating from the country or territory.

(c) in respect of draft regulations to be made under section 11(1)—
   (i) the amount of import duty proposed to be applicable to any goods that are or are proposed to be subject to a quota; and
   (ii) the factors by reference to which a quota is to be determined.

(d) in respect of draft regulations to be made under section 10(1)—
   (i) each country to which the proposed regulations apply;
   (ii) the proposed conditions for the application of the lower rates or nil rate, and
   (iii) the proposed provisions about the variation, suspension and withdrawal of the application of the lower rates or nil rate.

(e) in respect of draft regulations to be under section 13(5), the amount of import duty proposed to be applicable to any goods that are or are proposed to be subject to a quota.

(f) in respect of draft regulations to be made under section 14(1)—
   (i) the proposed additional amount of import duty;
   (ii) the proposed period for the purposes of section 14(1)(a); and
   (iii) the proposed trigger price for the purposes of section 14(1)(b).

(g) in respect of draft regulations to be made under section 15(1), the proposed variation of import duty

(h) in respect of draft regulations to be made under section 39 to which this section applies—
(i) the rate of export duty applicable to goods specified in the resolution; 
(ii) any proposed export tariff (within the meaning given in section 39(3)(a)); and 
(iii) any measure of quantity or size by reference to which it is proposed that the duty be charged.

(7) The third step is that the House of Commons passes a resolution arising from the motion made in the form specified in subsection (6) (whether in the form of that motion or as amended).

(8) The fourth step is that the regulations that may then be made must, in respect of any matters specified in the paragraph of subsection (6) that relate to the section under which the draft regulations are to be made, give effect to the terms of the resolution referred to in subsection (7)."—(Peter Dowd.)

This new clause applies an enhanced parliamentary procedure to several of the provisions in the Bill, requiring that the House of Commons pass an amendable resolution authorising (i) the rate of import duty on particular goods; (ii) the key provisions of regulations to give effect to recommendations that lower import duties for eligible developing countries; (iii) any measure of quantity or size by reference to which it is proposed that the duty be charged.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 291, Noes 316.

Division No. 209] [9.16 pm

AYES
Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniassi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Brady, Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Dette
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair

Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fellows, Marion
Field, rh Frank
Fitzpatrick, Jim
Flint, rh Caroline
Firth, 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
Hanson, rh David
Hardy, Emma
Hamman, 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
Hoey, Kate
Hollick, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike

Keelley, Barbara
Kendall, Liz
Khan, Afzal
Kilbey, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
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
McMorris, 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
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
149 150
16 JULY 2018

Taxation (Cross-border Trade) Bill

Tellers for the Ayes:
Vicky Foxcroft and
Thangam Debbonaire

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack

Sobel, Alex
Spellar, rh John
Starter, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Tami, Mark
Thelwall, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thorburn, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twig, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollomon, Mr Philip
Holloway, Adam
Howard, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jennick, 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 Philip
Lej J, 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 Pengeelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Macakinlay, Craig
Maclean, Rachel
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
Millng, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
This new clause would require Scottish Parliament consent to implement a number of powers in the Bill.

Brought up.

Question put, That the clause be added to the Bill.

The House proceeded to a Division.

Mr Speaker: Order. I am sure that this matter is of the greatest possible interest to the right hon. Member for North Norfolk (Norman Lamb). He is engaged in an animated conversation with his right hon. Friend the Member for Carshalton and Wallington (Tom Brake), but I feel sure that they are intensely interested in new clause 16 and the conduct of the democratic process relating thereto. Suitable interest is now demonstrated. Tellers for the Ayes are Mr David Linden and Mrs Marian Fellows. Tellers for the Noes are Wendy Morton and Mike Freer. Now those right hon. Members will be delighted to know that they can go back to talking to and listening, with rapt attention, to each other.

The House having divided: Ayes 36, Noes 316.

Division No. 210] [9.29 pm

AYES

Bardell, Hannah
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Brock, Deidre
Brown, Alan
Cameron, Dr Lisa
Chapman, Douglas
Cherry, Joanna
Cowan, Ronnie
Crawley, Angela
Day, Martyn
Edwards, Jonathan
Gethins, Stephen
Gibson, Patricia
Grady, Patrick
Grant, Peter
Gray, Neil
Hendry, Drew
Hosie, Stewart

Wishart, Pete

Tellers for the Ayes: David Linden and Marion Fellows
Donaldson, rh Sir Jeffrey M.
Dodd, rh Nigel
Donalsdon, rh Sir Jeffrey M.
(2) Subsection (1) shall not apply if the Treasury declare by
ordinance that such a tax is being imposed for the purpose
of raising revenue for a particular purpose or that the
taxation is necessary for the protection of the public interest.

The House divided: Ayes 305, Noes 302.

[Ayes 305, Noes 302.]

**Division No. 211**

**AYS**

**Ayes**

Adams, Nigel  
Afrozi, Adam  
Aldous, Peter  
Allan, Lucy  
Amess, Sir David  
Argar, Edward  
Atkins, Victoria  
Bacon, Mr Richard  
Badenoch, Mrs Kemi  
Baker, Mr Steve  
Baldwin, Harriet  
Barclay, Stephen  
Baron, Mr John  
Bellingham, Sir Henry  
Beresford, Sir Paul  
Berry, Jake  
Blackman, Bob  
Blunt, Crispin  
Boles, Nick  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Bradley, Ben  
Bradley, rth Karen  
Brady, Sir Graham  
Braverman, Suella  
Brereton, Jack  
Coffey, Dr Thérèse  
Costa, Alberto  
Counts, Robert  
Cox, rth Steven  
Crouch, Tracey  
Davies, Chris  
Davies, David T. C.  
Davies, Glyn  
Davies, Mims  
Davies, Philip  
Davis, rth David  
Dinenage, Caroline  
Docherty, Leo  
Dodds, rth Nigel  
Donaldson, Sir Jeffrey M.  
Donelan, Michelle  
Dorries, Ms Nadine  
Double, Steve  
Downer, Oliver  
Dowdy, Tony  
Drax, Richard  
Duddridge, James  
Duguid, David  
Duncan, rth Alan  
Duncan Smith, rth Iain  
Dunne, rth Philip  
Ellis, Michael  
Ellwood, rth Mr Tobias  
Elphicke, Charlie  
Eustice, George  
Evans, Mr Nigel  
Everett, rth Sir David  
Fabricant, Michael  
Fallon, rth Sir Michael  
Field, rth Frank  
Field, rth Mark  
Ford, Vicky  
Foster, Kevin  
Fox, rth Dr Liam  
Francis, rth Mark  
Fraser, Lucy  
Freeman, George  
Freer, Mike  
Fysh, rth Marcus  
Gale, Sir Roger  
Garnier, Mark  
Gauke, rth Mr David  
Ghani, Ms Nusrat  
Gibb, rth Nick  
Gillan, rth Dame Cheryl  
Girvan, Paul  
Glen, John  
Goldsmith, Zac  
Goodwill, rth Mr Robert  
Gove, rth Michael  
Graham, Luke  
Graham, Richard  
Grant, Bill  
Grant, Mrs Helen  
Gray, James  
Grayling, rth Chris  
Green, Chris  
Green, rth Damian  
Greening, rth Justine  
Griffiths, Andrew  
Gyimah, Mr Sam  
Hair, Kirstene  
Halfon, rth Robert  
Hall, Luke  
Hammond, rth Mr Philip  
Hancock, rth Matt  
Hands, rth Greg  
Harper, rth Mark  
Harrington, Richard  
Harris, Rebecca  
Harrison, Trudy  
Hart, Simon  
Hayes, rth Mr John  
Heald, rth Sir Oliver  
Heappey, James  
Heaton-Harris, Chris  
Heaton-Jones, Peter  
Henderson, Gordon  
Herbert, rth Nick  
Hinds, rth Damian  
Hoare, Simon  
Hope, Kate  
Hollingbery, George  
Hollinrake, Kevin  
Holloboone, Mr Philip  
Holloway, Adam  
Hopkins, Kelvin  
Howell, John  
Huddleston, Nigel  
Hughes, Eddie  
Hunt, rth Mr Jeremy  
Hurd, rth Mr Nick  
Jack, rth Alister  
Javid, rth Sajid  
Jayawardena, Mr Ranil  
Jenkin, Sir Bernard  
Jenkyns, Andrea  
Jenrick, Robert  
Johnson, rth Boris  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnson, Joseph  
Jones, Andrew  
Jones, rth Mr David  
Jones, Mr Marcus  
Kaczensky, Daniel  
Keegan, Gillian  
Kennedy, Seema  
Kerr, Stephen  
Knight, rth Sir Greg  
Knight, Julian  
Kwarteng, Kwasi  
Lamont, John  
Lancaster, rth Mark  
Latham, Mrs Pauline  
Leadsom, rth Andrea  
Lefroy, Jeremy  
Leigh, Sir Edward  
Letwin, rth Sir Oliver  
Lewer, Andrew  
Lewis, rth Brandon  
Lewis, rth Dr Julian  
Liddell-Grainger, Mr Ian  
Lidington, rth Mr David  
Little Pengelly, Emma  
Lopez, Julia  
Lopresti, Jack  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Mak, Alan  
Malthouse, Kit  
Mann, Scott  
May, rth Mrs Theresa  
McLoughlin, rth Sir Patrick  
McPartland, Stephen  
McVeY, rth Ms Esther  
Menzies, Mark  
Mercey, Johnny  
Merriman, Huw  
Metcalfe, Stephen  
Miller, rth Mrs Maria  
Milling, Amanda  
Mills, Nigel

**Tellers for the Noes:**

Wendy Morton and  
Mike Freer

**Question accordingly negatived.**

**New Clause 36**

Prohibition on collection of certain taxes or duties on behalf of territory without reciprocity

'(1) Subject to subsection (2), it shall be unlawful for HMRC to account for any duty of customs or VAT or excise duty collected by HMRC to the Government of a country or territory outside the United Kingdom.

(2) Subsection (1) shall not apply if the Treasury declare by ordinance that such a tax is being imposed for the purpose of raising revenue for a particular purpose or that the taxation is necessary for the protection of the public interest.'—(Priti Patel.)

Brought up.

Question put, That the clause be added to the Bill.
Tellers for the Ayes:

Paul Maynard and Stuart Andrew

NOES

Abbott, rh Ms Diane
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barrell, Hannah
Barron, rh Sir Kevin
Bebb, Guto
Beckett, rh Margaret
Benn, rh Hilary
Benyon, rh Richard

Bryant, Chris
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Veronica
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddock, Jon
Cryer, John
Cummings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Gwenda
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Dent Cost, Emma
Dhesi, Mr Sanjiv
Dhur, Jules
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
Fellows, Marion
Fitzpatrick, Jim
Flint, rh Caroline
Frisby, 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
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwydyr, Andrew
Haigh, Louise
Hamilton, Fabian
Hammond, Stephen
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendy, Drew
Hepburn, Mr Stephen
Hermon, 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
Keelley, 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
Lee, Dr Phillip
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Colw
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
New Clause 37

SINGLE UNITED KINGDOM CUSTOMS TERRITORY

(1) It shall be unlawful for Her Majesty’s Government to enter into arrangements under which Northern Ireland forms part of a separate customs territory to Great Britain.

(2) For the purposes of this section “customs territory” shall have the same meaning as in the General Agreement on Tariffs and Trade, 1947, as amended. — (Mr Laurence Robertson.)

Brought up, and added to the Bill.

Clause 8

THE CUSTOMS TARIFF

Amendment made: 74, page 6, line 1, at end insert —

“(1) the interests of producers in the United Kingdom of the goods concerned,” — (George Hollingbery.)

This amendment requires the Treasury, when considering what rate of import duty ought to apply to particular goods, to have regard to the interests of UK producers of those goods.

Clause 13

DUMPING OF GOODS, FOREIGN SUBSIDIES AND INCREASES IN IMPORTS

Amendment made: 84, page 9, line 7, after “a” insert “provisional tariff rate quota or a” — (George Hollingbery.)

This amendment is consequential on Amendment 85.

Amendment proposed: 21, page 9, line 18, at end insert —

“(4A) Subsection (4B) applies where the TRA or the Secretary of State is considering whether the application of a remedy, or the acceptance of a recommendation to do so —

(a) is in the public interest, or

(b) meets either of the economic interest tests described in paragraph 25 of Schedule 4 or paragraph 21 of Schedule 5.

(4B) In making a consideration to which this subsection applies, notwithstanding the provisions of Schedules 4 and 5, the TRA or the Secretary of State must give special consideration to the need to eliminate the trade distorting effect of injurious dumping and to restore effective competition, and must presume the application of a remedy or the acceptance of a recommendation to do so to be in the public interest and to have met the economic interest test unless this special consideration is significantly outweighed.” — (Peter Dowd.)

This amendment ensures that there is a presumption that if dumping is found, a remedial action will be taken.

Question put, That the amendment be made.

The House divided: Ayes 283, Noes 317.

Division No. 212]

[10.00 pm]

AYES

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brennan, Kevin
Brooks, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Glindon, Mary
Gill, Preet Kaur
Gethins, Stephen
George, Ruth
Gardiner, Barry
Gapes, Mike
Gaffney, Hugh
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
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Heppburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollier, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rapu
Hussain, Imran
Jarvis, Dan
Johnson, Joanna
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
Killed, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
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
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Steward Malcolm
McDonald, Stuart C.
McDowell, 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
Morden, Jessica
Morgan, Stephen
Morriss, Grahame
Murray, Ian
Sandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmina
Rashid, Faisal
Rayner, Angela
Reed, rh Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheeran, Mr Barry
Sheppard, Tommy
Sheriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smee, Ruth
Smith, Angela
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Streeling, Wes
Stringer, Graham
Sweeney, rh Mr Paul
Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twig, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Yasmin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Vicky Foxcroft and Thangam Debbonaire

NOES
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
Mr Speaker: I informed the House earlier—which may have been of interest to those present, and with the encouragement of the right hon. Gentleman concerned—that the Financial Secretary was celebrating his 13th wedding anniversary in the presence of his wife and his two delightful daughters in the Gallery. I now must inform the House—[Interruption.] Well, whether I must or not, I am going to: I now must inform the House that the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), has become a grandmother. I congratulate the right hon. and learned Lady, and the hon. Member (Ms Harman), has become a grandmother. I congratulate the right hon. and learned Lady, and the hon. Member for Birmingham, Erdington (Jack Dromey), who has become a grandfather. I must tell the House that Holly was born yesterday at 4 o’clock in the morning. Congratulations to the right hon. and learned Lady.

Clause 25

DISCLOSURE OF INFORMATION

Amendment proposed: 33, page 17, line 2, leave out “Data Protection Act 1998” and insert “data protection legislation”.—(Kirsty Blackman.)

Question put, That the amendment be made.

A Division was called.

Mr Speaker: Order. Colleagues will understand me if I say that I think there might be some evidence of what I might call ritualism involved in this matter, but it is up to people to find their own salvation, and I think that the Financial Secretary to the Treasury is well able to do so, with help from others if he is so minded.

Mel Stride rose—

Mr Speaker: Order. It is very good of the right hon. Gentleman, but I think that the Government had previously signalled, and I had been advised—although this is not a matter for the Chair—that they had accepted this amendment. However, when it was put to the vote, and Scottish National party voices shouted Aye, there was what might be described as an instinctive reaction of No from some quarters. If that is what the right hon. Gentleman was attempting to articulate, we are most grateful to him.

Mel Stride: Thank you, Mr Speaker. The instincts on our side are often divided, but not on this matter. We are at one in accepting amendment 33, as well as amendment 34, tabled by the Scottish National party.

Mr Speaker: Well, an absence of Tellers will suffice to achieve the objective of the Minister. Division off.

Amendment 33 agreed to.

Amendment made: 34, page 17, line 4, at end insert—

’(8) In this section, “the data protection legislation” has the same meaning as in the Data Protection Act 2018.’—(Kirsty Blackman.)
Clause 47

EU Law Relating to Excise Duty

Amendment made: 80, page 32, line 47, at end insert—

“( ) No regulations may be made under this section on or after 1 April 2023.”—(Mel Stride.)

This amendment provides that the power to make regulations under Clause 47 (EU law relating to excise duty) is not exercisable after 31 March 2023.

 Clause 48

Regulations under ss. 44 to 47

Amendments made: 81, page 33, line 12, after “section” insert “, or regulations under section 47, “.

This amendment provides that regulations under Clause 47 (EU law relating to excise duty) cease to have effect if not approved by the House of Commons within 28 days of being made.

Clause 51

Power to Make Provision in Relation to VAT or Duties of Customs or Excise

Amendment made: 82, page 34, line 41, at end insert—

“( ) No regulations may be made under this section on or after 1 April 2023.”—(Mel Stride.)

This amendment provides that the power to make regulations under Clause 47 (EU law relating to excise duty) is not exercisable after 31 March 2023.

Amendment 23, page 33, line 30, leave out “47” and insert “46.”—(Mel Stride.)

This amendment is consequential Amendment 81.

Schedule 4

Dumping of Goods or Foreign Subsidies Causing Injury to UK Industry

Amendments made: 103, page 66, line 26, leave out from “that” to end of line 30 and insert

“(2A) In considering that, the Secretary of State must accept the TRA’s determination that requiring a guarantee in accordance with the recommendation meets the economic interest test (see paragraph 25), unless the Secretary of State is satisfied that the determination is not one that the TRA could reasonably have made.”

Amendments 103 and 108 provide that the Secretary of State may reject a recommendation by the TRA to apply an anti-dumping amount or an anti-subsidy remedy only if the Secretary of State is satisfied that it is not in the public interest to accept the recommendation. In deciding that, the Secretary of State must accept the TRA’s view that the economic interest test is met, unless satisfied that the TRA could not reasonably have come to that view.

Amendment 104, page 68, line 42, leave out

“such period as the TRA considers necessary” and insert

“a period of 5 years unless the TRA considers that a lesser period is sufficient”.

Amendments 104 and 105 provide that the recommended period for the application of an anti-dumping amount or a countervailing amount is 5 years unless the TRA considers that a lesser period is sufficient to counteract the dumping, or the importation of subsidised goods, which has caused or is causing injury.

Amendment 105, page 69, line 1, leave out from beginning to “and” in line 3.

See the explanatory statement for Amendment 104.

Amendment 106, page 69, line 8, at end insert—

“( ) In the case of a recommendation of such a prior date made by virtue of paragraph 19, the reference in sub-paragraph (2)(a) to a period of 5 years is to be read as a reference to a period of 5 years plus the relevant period (within the meaning of paragraph 19).”

This amendment ensures that where it is recommended that an anti-dumping amount or a countervailing amount is applied to goods from a date on or before the day of publication of the relevant public notice under clause 13, the default recommended period of 5 years for the application of the amount (provided for by Amendment 104) is extended by that prior period.

Amendment 107, page 69, line 8, at end insert—

“( ) See also paragraph 21 regarding the possibility, following a review, of extensions or variations to the period for which an anti-dumping amount or a countervailing amount applies to goods.”

This amendment is consequential on Amendment 105.

Amendment 108, page 70, line 12, leave out from “that” to end of line 17 and insert

“it is not in the public interest to accept it.

“(2A) In considering that, the Secretary of State must accept the TRA’s determination that the application of an anti-dumping amount or a countervailing amount to goods in accordance with the recommendation meets the economic interest test (see paragraph 25), unless the Secretary of State is satisfied that the determination is not one that the TRA could reasonably have made.”

See the explanatory statement for Amendment 103.

Amendment 109, page 72, line 11, leave out

“5 year period referred to in paragraph 18(2)(b)” and insert

“period referred to in paragraph 18(2)(a)”.

This amendment is consequential on Amendments 104 and 105.

Amendment 110, page 75, line 28, at end insert—

“(zi) the injury caused by the dumping of the goods, or the importation of the subsidised goods, to a UK industry in the goods and the benefits to that UK industry in removing that injury,”

Paragraph 25(4)(a) of Schedule 4 lists certain matters which the TRA and the Secretary of State must take account of, so far as relevant, when deciding whether the application of an anti-dumping or anti-subsidy remedy is not in the economic interest of the UK. Amendment 110 inserts an express reference in that list to the injury caused by the dumping of the goods or the subsidised imports to a UK industry in the goods and of the benefits to that industry in removing that injury.

Amendment 111, page 76, line 9, at end insert—

“(zi) the UK industry referred to in sub-paragraph (4)(a)(zi) and other producers of goods,“

Amendments 111 and 112 make clear that the references to “affected industries” in paragraph 25 of Schedule 4 continue to include the injured UK industry referred to in Amendment 110.

Amendment 112, page 76, line 10, leave out “producers and”—(Mel Stride.)

See the explanatory statement for Amendment 111.
Schedule 5

INCREASE IN IMPORTS CAUSING SERIOUS INJURY TO UK PRODUCERS

Amendments made: 113, page 81, line 32, after “plan” insert
“or the TRA waives the requirement for the application to be accompanied by such a plan.”

This amendment enables the TRA to waive the requirement for an application for the initiation of a safeguarding investigation to be accompanied by a preliminary adjustment plan.

Amendment 85, page 84, line 12, leave out from “goods” to end of line 14 and insert
“or to specified relevant goods;

(b) that all the relevant goods, or specified relevant goods,
should be subject to a quota for a specified period
during which a lower rate of import duty should be applicable to imports of goods within the amount of the quota than is applicable to imports of goods outside the amount of the quota (referred to in this Schedule as a ‘provisional tariff rate quota’).”

This amendment enables the TRA, where it makes a provisional affirmative determination during a safeguarding investigation, to recommend that goods be made subject to a provisional tariff rate quota as an alternative to recommending that a provisional safeguarding amount be applied to the goods.

Amendment 86, page 84, line 16, leave out “the application of a provisional safeguarding amount” and insert
“applying a provisional safeguarding amount to relevant goods,
or making relevant goods subject to a provisional tariff rate quota.”.

This amendment is consequential on Amendment 85.

Amendment 87, page 84, line 22, leave out sub-paragraph (5) and insert—
“(5) The TRA may only make a recommendation under one or other of paragraphs (a) and (b) of sub-paragraph (3) in relation to any particular relevant good.

(5A) The TRA may make a recommendation under paragraph (a) or (b) of sub-paragraph (3) in relation to specified relevant goods (rather than all the relevant goods) only if the recommendations which it makes under that sub-paragraph, when taken together, cover all the relevant goods.

(5B) If the TRA determines that there are one or more recommendations which it could make under sub-paragraph (3) in relation to all the relevant goods, or that there are one or more recommendations which it could make under sub-paragraph (3) in relation to specified relevant goods, it must make that recommendation or one of those recommendations (subject to sub-paragraphs (5) and (5A)).”

This amendment is consequential on Amendment 85. It has the effect that the TRA may recommend that goods in relation to which a provisional affirmative determination is made should be subject either to a provisional safeguarding amount or a provisional tariff rate quota, but not both, although some of the goods may be subject to one type of provisional remedy whilst the rest are subject to the other type of remedy.

Amendment 88, page 84, line 35, leave out “11(3)” and insert “11(3)(a)”.

This amendment is consequential on Amendment 85.

Amendment 89, page 84, line 41, leave out “The recommendation referred to in paragraph 11(3(b)” and insert “A recommendation under paragraph 11(3)(a)”.

This amendment is consequential on Amendment 85.

Amendment 90, page 84, line 42, at end insert “(see paragraph 11(3A))”.

This amendment is consequential on Amendment 85.

Amendment 91, page 85, line 11, leave out “11(3)” and insert “11(3)(a)”.

This amendment is consequential on Amendment 85.

Amendment 92, page 85, line 12, at end insert —
“TRA’s recommendations regarding provisional tariff rate quotas

12A (1) This paragraph applies to a recommendation by the TRA under paragraph 11(3)(b) in relation to goods.

(2) The specified period referred to in paragraph 11(3)(b)—
(a) must not exceed 200 days, and
(b) if the recommendation is accepted by the Secretary of State, must begin on the day after the date of publication of the public notice under section 13 giving effect to the recommendation.

(3) The recommendation must (in addition to the specified period) include—
(a) the TRA’s recommendation regarding—
(i) the amount of the quota,
(ii) how the quota should be allocated, and
(iii) the rates of import duty that should be applied to goods subject to the quota, and
(b) such other content as regulations may require.

(4) The TRA must consult the Secretary of State before making a recommendation regarding the allocation of the quota.

(5) The things recommended by the TRA by virtue of sub-paragraph (3)(a) must be such as the TRA is satisfied are necessary to prevent serious injury which it would be difficult to repair from being caused during the investigation to UK producers of the goods.

(6) Regulations may make provision for the purposes of sub-paragraph (5) about how the things which the TRA is satisfied are necessary to prevent the serious injury described in that provision are to be determined.”

This amendment makes provision about the content of a TRA recommendation that goods should be subject to a provisional tariff rate quota. See the explanatory statement to Amendment 85 concerning the making of such a recommendation.

Amendment 93, page 85, line 14, leave out “11(3)” and insert “11(3)(a)”.

This amendment is consequential on Amendment 85.

Amendment 94, page 85, line 37, leave out sub-paragraph (5).

This amendment is consequential on Amendment 85.

Amendment 95, page 85, line 40, leave out “of a provisional remedy in respect of goods” and insert “for which a provisional safeguarding amount applies to goods”.

This amendment is consequential on Amendment 85.

Amendment 96, page 85, line 42, at end insert —
“Secretary of State’s power to subject goods to a provisional tariff rate quota

13A (1) If the TRA makes a recommendation under paragraph 11(3)(b), the Secretary of State must decide whether to accept or reject the recommendation.

(2) The Secretary of State may reject the recommendation only if the Secretary of State is satisfied that—
(a) making goods subject to a provisional tariff rate quota in accordance with the recommendation does not meet the economic interest test (see paragraph 21), or
(b) it is not otherwise in the public interest to accept the recommendation.

(3) If the recommendation is rejected, the Secretary of State must—

(a) publish notice of the TRA’s provisional affirmative determination in relation to the goods, of the recommendation and of the rejection of it,
(b) notify interested parties (see paragraph 29(3)) accordingly, and
(c) lay a statement before the House of Commons setting out the reasons for rejecting the recommendation.

(4) If the recommendation is accepted, the Secretary of State—

(a) must publish notice of the TRA’s provisional affirmative determination in relation to the goods, of the recommendation and of the acceptance of it,
(b) must notify interested parties accordingly, and
(c) is required under section 13 to make provision by public notice to give effect to the recommendation.

(5) The period for which goods are subject to a provisional tariff rate quota ceases (if it has not already expired) when the safeguarding investigation in relation to the goods terminates.”

This amendment makes provision about what the Secretary of State is to do if the TRA recommends that goods should be subject to a provisional tariff rate quota. See the explanatory statement to Amendment 85 concerning the making of such a recommendation.

Amendment 114, page 86, line 32, at end insert—

“( ) But sub-paragraph (5) is to be read as if paragraph (b) were omitted if the TRA waived the requirement for the application to initiate a safeguarding investigation in relation to the relevant goods to be accompanied by a preliminary adjustment plan.”

Paragraph 14(5)(b) of Schedule 5 to the Bill requires the TRA to be satisfied that an adjustment plan is in place before recommending to the Secretary of State, following the making of a provisional affirmative determination in a safeguarding investigation, that a definitive safeguarding amount should be applied or a tariff rate quota imposed. This amendment disapplies the paragraph 14(5)(b) requirement in cases where the requirement to provide a preliminary adjustment plan was waived at the point when the application was being made for the initiation of a safeguarding investigation.

Amendment 97, page 88, leave out lines 1 to 13 and insert—

“(7) If a provisional safeguarding remedy has been applied to some or all of the goods as part of the same safeguarding investigation, sub-paragraph (8) applies for the purposes of sub-paragraphs (2)(b) and (4)(b).

(8) The length of the specified period referred to in paragraph 14(3)(a), so far as relating to goods to which a provisional safeguarding remedy has been applied, is to be treated as extended by the length of the specified period for which the TRA recommended that a provisional safeguarding remedy should be applied to them.

(9) Where the application of sub-paragraph (8) results in the length of the specified period referred to in paragraph 14(3)(b), so far as relating to goods to which a provisional safeguarding remedy has been applied, exceeding 1 year, sub-paragraph (5)(b) is to be read as if references to goods were references to the goods to which the provisional safeguarding remedy has been applied.

(10) In this paragraph, references to the application of a provisional safeguarding remedy are to—

(a) applying a provisional safeguarding amount to goods, or
(b) making goods subject to a provisional tariff rate quota.”

This amendment is consequential on Amendment 85. It explains what effect the period of a provisional tariff rate quota is to have where the TRA later recommends that goods be subject to a tariff rate quota. The amendment also incorporates the existing provision about the effect of the period of a provisional safeguarding amount.

Amendment 98, page 89, leave out lines 6 to 18 and insert—

“(7) If a provisional safeguarding remedy has been applied to some or all of the goods as part of the same safeguarding investigation, sub-paragraph (8) applies for the purposes of sub-paragraphs (2)(b) and (5)(b).

(8) The length of the specified period referred to in paragraph 14(3)(b), so far as relating to goods to which a provisional safeguarding remedy has been applied, is to be treated as extended by the length of the specified period for which the TRA recommended that a provisional safeguarding remedy should be applied to them.

(9) Where the application of sub-paragraph (8) results in the length of the specified period referred to in paragraph 14(3)(b), so far as relating to goods to which a provisional safeguarding remedy has been applied, exceeding 1 year, sub-paragraph (5)(b) is to be read as if references to goods were references to the goods to which the provisional safeguarding remedy has been applied.

(10) In this paragraph, references to the application of a provisional safeguarding remedy are to—

(a) applying a provisional safeguarding amount to goods, or
(b) making goods subject to a provisional tariff rate quota.”

This amendment is consequential on Amendment 85. It explains what effect the period of a provisional tariff rate quota is to have where the TRA later recommends that goods be subject to a tariff rate quota. The amendment also incorporates the existing provision about the effect of the period of a provisional safeguarding amount.

Amendment 99, page 93, line 43, after “a” insert “provisional tariff rate quota or a”.

This amendment is consequential on Amendment 85.

Amendment 117, page 94, line 1, at end insert—

“(zi) the UK producers referred to in sub-paragraph (3)(a)(zi) and other producers of goods.”

Amendments 117 and 118 make clear that the references to “affected industries” in paragraph 21 of Schedule 5 continue to include the injured UK producers referred to in Amendment 116.

Amendment 118, page 94, line 2, leave out “producers and”.

See the explanatory statement for Amendment 117.

Amendment 100, page 96, line 18, after “a” insert “provisional tariff rate quota or a”.

This amendment is consequential on Amendment 85.

Amendment 101, page 97, leave out lines 24 and 25.

This amendment is consequential on Amendment 85.

Amendment 102, page 97, line 29, at end insert—

“provisional tariff rate quota’ has the meaning given by paragraph 11(3)(b).” —(Mel Stride.)

This amendment is consequential on Amendment 85.


Schedule 8

VAT AMENDMENTS CONNECTED WITH WITHDRAWAL FROM EU

Amendment proposed: 73, page 135, leave out paragraph 14.—(Craig Mackinlay.)

Question put, That the amendment be made.

The House divided: Ayes 303, Noes 300.

Division No. 213] [10.20 pm

AYES

Adams, Nigel
Afotiam, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
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
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caullfield, Maria
Chalk, Alex
Chishi, Rehan
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims

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
Hollinsrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jennick, 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 Mr 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
Mak, Alan
Malthouse, Kit
Mann, Scott
May, rh Mrs Theresa
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther

Menzies, Mark
Merry, Johnny
Merrick, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Mortimer, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guto
Paisley, Ian
Parish, Neil
Pavel, rh Priti
Pate, Mr 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, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh 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
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
Somers, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Bob
Clarke, Mr Kenneth Cherry, Joanna Charalambous, Bambos Chapman, Jenny Champion, Sarah Chapman, Douglas Chapman, Penny Charalamous, Bambos Cherry, Joanna Clarke, Mr Kenneth Clywd, rh Ann Coaker, Vernon

Vickers, Martin Villiers, rh Theresa Walker, Mr Charles Walker, Mr Robin Wallace, rh Mr Ben Warburton, David Warm, Matt Watling, Giles Whately, Helen Wheeler, Mrs Heather Whittaker, Craig Whittingdale, rh Mr John Wiggin, Bill Williamson, rh Gavin Wilson, rh Sammy Wood, Mike Wragg, rh Mr William Wright, rh Jeremy Zahawi, Nadhim

Tellers for the Ayes:

Paul Maynard and Stuart Andrew

Abbot, rh Ms Diane Ali, Rushanara Allen, Heidi Allin-Khan, Dr Rosena Amesbury, Mike Antoniazzi, Tonia Ashworth, Jonathan Austin, Ian Bailey, Mr Adrian Bardell, Hannah Barron, rh Sir Kevin Beckett, rh Margaret Benn, rh Hilary Berger, Luciana Betts, Mr Clive 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 Burden, Richard Burgen, Richard Butler, Dawn Byrne, rh Liam Cadbury, Ruth Cameron, Dr Lisa Campbell, rh Mr Alan Campbell, Mr Ronnie Carden, Dan Carmichael, rh Mr Alistair Champion, Sarah Chapman, Douglas Chapman, Penny Charalamous, Bambos Cherry, Joanna Clarke, Mr Kenneth Clywd, rh Ann Coaker, Vernon Furniss, Gill Gaffney, Hugh Gapes, Mike Gardiner, Barry George, Ruth Gethins, Stephen Gibson, Patricia Gill, Preet Kaur Glindon, Mary Goddard, 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 Haigh, Louise Hamilton, Fabian Hammond, Stephen Hanson, rh David 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 Hodgetts, rh Dame Margaret Hodgson, Mrs Sharon Hollem, Kate Hopkins, Kelvin Hosie, Stewart Howarth, rh Mr George Huq, Dr Rupa Hussain, Imran Jardine, Christine Jarvis, Dan Johnson, Diana Jones, Darren Jones, Graham P. Jones, Helen Jones, rh Mr Kevan Jones, Sarah Jones, Susan Elan Kane, Mike Keeley, Barbara Kendall, Liz Khan, Afzal Kilfen, Ged Kinnock, Stephen Kyle, Peter Laird, Lesley Lake, Ben Lamb, rh Norman Lammy, rh Mr David Lavery, Ian Law, Chris Lee, Karen Lee, Dr Phillip Leslie, Mr Chris Lewell-Buck, Mrs Emma Lewis, Clive Lewis, Mr Ivan Linden, David Lloyd, Stephen Lloyd, Tony Long Bailey, Rebecca Lucas, Caroline Lynch, Holly Madders, Justin Mahmood, Mr Khalid Mahmood, Shabana Malhotra, Seema Mann, John Marsden, Gordon Martin, Sandy Maskell, Rachael Matheson, Christian Mc Nally, John McCarthy, Kerry McDonagh, Siobhain McDonald, Andy McDonald, Stewart Malcolm McDonald, Stuart C. McDonnell, rh John McCadden, rh Mr Pat McGinn, Conor McGovern, Alison McInnes, Liz McKinnell, Catherine McMahon, Jim McMorrin, Anna Means, Ian Miliband, rh Edward Monaghan, Carol Moon, Mrs Madeleine Morar, Layla Morden, Jessica Morgan, rh Nicky Morgan, Stephen Morris, Grahame Murray, Ian Nandy, LisaNeill, Robert Newlands, Gavin Norris, Alex O’Hara, Brendan Onasanya, Fiona Onn, Melanie Owusu, Chi Osamor, Kate Owen, Albert Peacock, Stephanie Pearce, Teresa Pennycook, Matthew Perkins, Toby Phillips, JessPhillipson, Bridget Platt, Jo Pollard, Luke Pound, Stephen Powell, Lucy Qureshi, Yasmin Rashid, Faisal Rayner, Angela Rees, Lynne Rees, Christina Reeves, Ellie Reynolds, Emma Reynolds, Jonathan Rimmer, Ms Marie
Question accordingly agreed to.
Amendment 73 agreed to.

Schedule 9

EXCISE DUTY AMENDMENTS CONNECTED WITH WITHDRAWAL FROM EU

Amendment made: 83, page 165, line 36, at end insert—
"Finance Act 2008
9 In Schedule 41 to the Finance Act 2008 (penalties: failure to notify and certain VAT and excise wrongdoing), in the table in paragraph 1, in the final entry relating to excise duties, for "Article 79 of Council Regulation 2913/92/EEC” substitute paragraph 1, in the final entry relating to excise duties, for
notify and certain VAT and excise wrongdoing), in the table in

This amendment is consequential on the replacement of EU customs duties by provisions of Part 1 of the Bill.

10.34 pm
Proceedings interrupted (Programme Order, 8 January).
The Speaker put forthwith the Question necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

Question put, That the Bill be now read the Third time.

The House divided: Ayes 318, Noes 285.

Division No. 214] [10.34 pm

AYES

Adams, Nigel
Afolami, Sim
Aftinye, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Argar, Edward

Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
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
Bridgen, Andrew
Brine, Steve
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chihsit, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Sir Simon
Cleaverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael

Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
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
Frances, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garner, 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
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hai, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Heron, Lady
Hinds, rh Damian
Hoare, Simon
Hoe, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Hudson, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
**Tellers for the Ayes:**
Paul Maynard and Stuart Andrew

**NOES**
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Gerard
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Dent Coad, Emma
Dhesi, Mr T้านmanjeet Singh
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
Farrelly, Paul
Fellows, Marion
Fitzpatrick, Jim
Firth, James
Furniss, Gill
Gaffrey, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethens, 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
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khans, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
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, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheeran, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Sobel, Alex
Spyllar, rh John
Starker, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
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, Valerie
Walker, Thelma
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Vicky Foxcroft and
Thangam Debbonaire

Question accordingly agreed to.
Bill read the Third time and passed.

BUSINESS OF THE HOUSE

Ordered,

That, at this day’s sitting, the Motion in the name of Andrea Leadsom relating to Business of the House (Today) may be proceeded with, though opposed, until any hour; and Standing Order No. 41A (Deferred divisions) will not apply.—(Craig Whittaker.)
Mr Speaker: With the permission of the House, motions 3 to 6 will be taken together. The debate may therefore range over all four motions. Moreover, I inform the House that I have selected amendment (a), in the name of the right hon. Member for Basingstoke (Mrs Miller), to motion 3. I call the Leader of the House to move motion 3, remembering that of course all these motions are being debated together and therefore she can offer us her thoughts on any or all of them, or any combination.

Andrea Leadsom: Thank you Mr Speaker—take 2. I beg to move,

That the following Standing Order shall have effect for the remainder of this Parliament:

(1) There shall be a select committee, called the European Statutory Instruments Committee, to examine and report on—

(i) any of the following documents laid before the House of Commons in accordance with paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018—

(a) a draft of an instrument; and

(b) a memorandum setting out both a statement made by a Minister of the Crown to the effect that in the Minister’s opinion the instrument should be subject to annulment in pursuance of a resolution of either House of Parliament (the negative procedure) and the reasons for that opinion, and

(ii) any matter arising from its consideration of such documents.

(2) In its consideration of a document referred to in paragraph 1(i) the committee shall include, in addition to such other matters as it deems appropriate, whether the draft instrument—

(i) contains any provision of the type specified in paragraph 1(2) or 10(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 in relation to which the Act requires that a draft of the instrument must be laid before, and approved by a resolution of, each House of Parliament (the affirmative procedure);

(ii) otherwise appears to make an inappropriate use of the negative procedure; and shall report to the House its recommendation of the procedure which should apply.

(3) The committee shall have regard to the reasons offered by the Minister in support of the Minister’s opinion that the instrument should be subject to the negative procedure.

(4) Before reporting on any document, the committee shall provide to the government department concerned an opportunity to provide orally or in writing to it or any subcommittee appointed by it such further explanations as the committee may require except to the extent that the committee considers that it is not reasonably practicable to do so within the period provided by the Act.

(5) It shall be an instruction to the committee that it shall report any recommendation that the affirmative procedure should apply within the period specified by the Act.

(6) The committee shall consist of sixteen Members.

(7) The committee and any sub-committees appointed by it shall have the assistance of the Counsel to the Speaker.

(8) The committee shall have power to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee’s order of reference.

(9) The committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report from time to time.

I first put on record my sincere thanks to my hon. Friend the Member for Broxbourne (Mr Walker) and to the Procedure Committee for their careful consideration of the best way to ensure effective scrutiny of Brexit delegated legislation. There has never been a more crucial time for secondary legislation, and the Government are committed to providing the maximum consideration of it to enable our smooth exit from the EU.

The Procedure Committee’s report sets out detailed proposals to ensure the effective scrutiny of delegated legislation under—

Mr Speaker: Order. The Clerk has swivelled round to advise me. I do not wish to be unkind or unhelpful to the Leader of the House, but I think that she has slightly jumped the gun in that she has got on to the substantive matter, which in fact we have not yet reached. I think that at this stage we just need to have the questions on any amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.

Question put and agreed to.
(10) The committee shall have power to appoint sub-committees and to refer to such sub-committees any of the matters referred to the committee.

(11) Each such sub-committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report to the committee from time to time.

(12) The committee shall have power to report from time to time the evidence taken before such sub-committees, and the formal minutes of sub-committees.

(13) The quorum of each such sub-committee shall be two.

(14) The committee shall have power to seek from any committee of the House, including any committee appointed to meet with a committee of the Lords as a joint committee, its opinion on any document within its remit, and to require a reply to such a request within such time as it may specify.

(15) Unless the House otherwise orders each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament, or until this Standing Order lapses, whichever occurs sooner.

(16) This Standing Order, to the extent that it relates to a regulation-making power provided to the Government under sections 8, 9 or 23(1) of the European Union (Withdrawal) Act 2018, shall lapse upon the expiry of the power to make new regulations under those sections and shall lapse entirely upon expiry of the last such remaining power.

Mr Speaker: With this we shall consider the following:

Motion 4—Liaison Committee—

That the Order of the House of 6 November 2017 (Liaison Committee: Membership) be amended, in the second paragraph, by inserting, in the appropriate place, “European Statutory Instruments”.

Motion 5—Additional Salaries—

That the Order of the House of 19 March 2013 (Positions for which additional salaries are payable for the purposes of section 4A(2) of the Parliamentary Standards Act 2009) be amended, in paragraph (1)(a), by inserting, in the appropriate place, “the European Statutory Instruments Committee”.

Motion 6—European Union Withdrawal (Documents)—

That where, under Paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018, any document is to be laid before this House, the delivery of a copy of the document to the Votes and Proceedings Office on any day during the existence of a Parliament shall be deemed to be for all purposes the laying of it before the House; and the proviso to Standing Order No. 159 shall not apply to any document laid in accordance with this Order.

Andrea Leadsom: I first put on record my sincere thanks to my hon. Friend the Member for Basingstoke (Mrs Miller) and the Procedure Committee for their careful consideration of the best way to ensure effective scrutiny of Brexit delegated legislation. There has never been a more crucial time for secondary legislation, and this Government are committed to providing the maximum consideration of it to enable our smooth exit from the EU.

The Procedure Committee’s report sets out detailed proposals to ensure the effective scrutiny of delegated legislation under the European Union (Withdrawal) Act 2018, which received Royal Assent on 26 June 2018. Following the Committee’s interim report of 1 November 2017, the Chair of the Procedure Committee tabled amendments to the withdrawal Bill in Committee of the whole House that the House accepted without Division. I subsequently tabled draft motions on the Order Paper to give as much notice of the potential Standing Order changes as possible.

Following the launch of its inquiry in September 2017, the Committee took evidence from a range of parties, including me, in May. I pay tribute to the members of the Committee and thank them for taking the time to input into this important new procedure.

In its report last week, the Procedure Committee set out its final recommendations, including updated proposed Standing Orders for a new Committee—the European Statutory Instruments Committee. As the Procedure Committee set out, the new Committee’s remit will be to examine each Government proposal for a negative procedure statutory instrument and to recommend whether it should be upgraded to the affirmative procedure, whereby the proposed legislation has to be approved by a vote of both Houses.

The report published last Monday includes a carefully considered set of recommendations for how the new Committee should function, together with a number of factors that the new Committee may want to consider when deciding whether the instrument ought to be subject to the affirmative procedure. It will be for the Committee to take forward that work, but I commit that the Government will work constructively and closely with the new Committee’s members and staff to ensure that it functions as effectively as possible. I have noted the suggestion that the European Statutory Instruments Committee should not be expected to make a substantive report with recommendations until the September sitting at the earliest.

The Government confirmed in a written statement on 4 July that the Government “will not lay negative statutory instruments requiring sifting until the necessary procedures for establishing the new Committee in the Commons and the expansion of the remit of the House of Lords’ Secondary Legislation Scrutiny Committee are concluded. However, the Government is starting to publish final drafts of the negative statutory instruments that require sifting (‘proposed negatives’) on Gov.uk as they are ready. This is to increase transparency and to allow Parliament and the public to have early sight of the forthcoming legislation.”

I would also like to take this opportunity to assure the House that, where a Minister does not agree with the recommendations of the Committee, the Minister will be prepared to appear in front of the Committee to clarify the rationale for that.

I turn to amendment (a), which was tabled by my right hon. Friend the Member for Basingstoke (Mrs Miller) and other members of the Commons Reference Group on Representation and Inclusion. Let me start by saying that I have great sympathy for what is proposed. It is absolutely right that we do all we can to encourage equal representation in the decisions that the House takes. It is important, however, that we recognise that the amendment would result in the European Statutory Instruments Committee being the only Committee subject to rules on the gender of its members.

The effect of the amendment would be that, whenever a vacancy became available on the Committee, only a Member of the same gender as the Member who had left the Committee would be eligible to join it. Some might consider that there is a risk of such a move creating difficulties with maintaining full membership, particularly for the smaller parties, if appropriate candidates are not forthcoming. I am sure that each party has seen the amendment and will want to do what it can to ensure an equal gender balance when selecting its membership of the Committee, but the amendment, although it has my personal support, is for the House to decide upon.
The new Committee will play an important role in the coming months, and provided that the proposed changes to Standing Orders are agreed, I look forward to charting its progress. I commend the motions to the House.

10.58 pm

Mrs Maria Miller (Basingstoke) (Con): It is a great pleasure to speak in support of not only motion 3, but amendment (a), to which my right hon. Friend the Leader of the House referred. I speak on behalf of a number of Members from all parties, including the smaller parties to which she referred. It is important to look at not only the work of the new Committee, but its makeup. Before I do that, however, let me commend the work of the Procedure Committee and my right hon. Friend, because this must be one of the most important Committees that Parliament has set up in recent times.

It is right that we think about the make-up of the Committee as well as its function. The amendment would ensure that the Committee had balanced representation. It is widely felt that it is important that we have balance when it comes to talking about all things to do with Brexit, and the amendment could be a way of putting that rhetoric into practice. Indeed, evidence given to the Women and Equalities Committee about the role of women in Parliament underlined all parties’ support for ensuring that women play an active role in all aspects of parliamentary life. My right hon. Friend the Member for Derbyshire Dales (Sir Patrick McLoughlin) told the Committee, rightly, that Parliament would be a better place if 50% of MPs were women. I think that nothing could be better than ensuring that 50% of the members of this Committee are women, because it will be considering issues of profound importance to the future of our country.

We spend a lot of time in this place telling businesses the importance of having more women on boards and reporting on their gender pay gap, for example. We ask them to do a lot of things that they might think we are not prepared to do here. Following the advice of “The Good Parliament” guide—it was written a number of years ago but is still a bible for reforming this place—I ask Members from all parties to support this small step, which would ensure female representation on the Committee from day one. I gently remind Members that that was not the case for the membership of a number of Select Committees at the beginning of this Parliament, so to assume that that will happen does not necessarily reflect what happened in the past.

11.1 pm

Peter Grant (Glenrothes) (SNP): I am happy to accept most of what the Leader of the House said and I am inclined to support the amendment. I hope that the House will forgive many of us on the Opposition Benches if we first want to see all these assurances of fair play put into practice, because many such assurances have not been, in the case of the European Union (Withdrawal) Bill and associated legislation. We will take the Government at their word just now, but we will be watching carefully not only what goes to the Committee, but what does not. We will be holding the Government firmly to account.

With regard to the amendment, I understand the Government’s reluctance to set a precedent. We must recognise that because this Parliament is nowhere near gender-balanced, we will have a problem if we try to make all its Committees gender-balanced, because women MPs would have to do the work of two men MPs. Well, a lot of people might suggest—[Interruption.] You’re getting ahead of me, as Ronnie Corbett used to say. That would create difficulties if it was applied to every Committee at once, but why not introduce such a measure, one Committee at a time, to see how it works?

I am intrigued by the Leader of the House’s concern that there might be times when nobody of the correct gender puts themselves forward for membership of the Committee. That implies that Members volunteer for Committees, rather than simply being told by their party Whips which ones they will be members of—I will need to have words with my own party Whip about that in the future. The proposal does not work for smaller parties, however, because if a smaller party has only one place on a Committee, that Member will, generally speaking, be either 100% male or 100% female. However, the bigger parties will have more members of the Committee, and a much bigger number of MPs to draw from. I would be concerned if no men or no women from either of the two largest parties in the House were willing to put in what looks like a fairly modest time commitment to ensure that secondary legislation for Brexit is scrutinised properly.

There is no issue with the fact that Brexit will involve a lot of secondary legislation, but there is a major issue with some of the things that the Government intend to use that secondary legislation for. I would have thought that anyone who is interested in ensuring that this House tells the Government what to do, rather than the other way around, would also ensure that no party would struggle to find Members to take up places on the Committee.

I ask the Leader of the House to reconsider her opposition to the amendment. We should be looking to introduce the principle of gender balance in fairly minor ways, over time, especially when there are those who say that it is not possible to do it all in one go. With that slight caveat, we will support the motion, but we will be watching carefully what happens to the Government’s assurances in the coming months.

11.4 pm

Mr William Wragg (Hazel Grove) (Con): Little did I realise that the motion on the European Statutory Instruments Committee would attract so much attention at this time of the evening. It was surely the main reason why we all trundled down to attend Parliament today.

I welcome what my right hon. Friend the Leader of the House said, and as a member of the Procedure Committee, I can say that it was a great pleasure for me to take evidence from her, the shadow Leader of the House and many representatives from different parties. The proposal that the Procedure Committee came up with was extremely laudable, and I believe that it was welcomed as a cross-party amendment to the repeal Bill in Committee.

However, I am afraid that I must object to amendment (a), because it is politically correct codswallop. I am concerned about setting a precedent for quotas. As a Conservative, I have always opposed quotas. As a
gay man, I ask why there is no mention of representation of LGBT Members. Why do Scottish National party Members not object to the lack of a requirement for regional representation? Why, dare I ask, is there no mention of the age profiles of Members? I do not see how somebody’s gender improves their ability to scrutinise secondary legislation. Although it is right that everybody should be encouraged, the amendment states “at least seven shall be women”.

Why cannot there be a Committee that consists entirely of women? What would be wrong with that, if that was the will of the House and those Members wished to put themselves forward?

David Linden (Glasgow East) (SNP): Will the hon. Gentleman give way?

Mr Wragg: Only because the hon. Gentleman was on the Procedure Committee.

David Linden: Are there any past examples of a Committee of the House of which all the members were men?

Mr Wragg: There may well be—[Interruption.] The hon. Gentleman may be better furnished with the facts at this late hour than I am. As a member of the Education Committee, I am in the minority in many ways, because its membership is seven women and four men. Indeed, the Committee that my right hon. Friend the Member for Basingstoke (Mrs Miller) chairs consists of eight women and three men.

Mrs Miller: My hon. Friend is making an eloquent argument, but he may want to observe that women are not a minority; we are a majority in this country. We are simply trying to have a level playing field.

Mr Wragg: A level playing field can be achieved without quotas. With that, I conclude my remarks and object to the amendment.

Amendment proposed: (a), in paragraph (6), at end add ‘of whom at least seven shall be women.’.—[Mrs Miller.]

Question put, That the amendment be made.

The House divided: Ayes 57, Noes 53.

Division No. 215] [11.7 pm

AYES

Ashworth, Jonathan
Blackford, rh Ian
Blomfield, Paul
Brown, rh Mr Nicholas
Bryant, Chris
Burgeon, Richard
Burt, rh Alistair
Cairns, rh Alun
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carmichael, rh Mr Alistair
Cooper, Rosie
Cox, rh Mr Geoffrey
Coyne, Neil
Davies, Mims
Doughty, Stephen
Dromey, Jack

Fellows, Marion
Ford, Vicky
Gardiner, Barry
Garnier, Mark
Gauke, rh Mr David
Glinion, Mary
Grady, Patrick
Grant, Peter
Harman, rh Ms Harriet
Harrington, Richard
Jones, Graham P.
Keegan, Gillian
Kyle, Peter
Leadsom, rh Andrea
Lewis, rh Brandon
Lewis, Mr Ivan
Lucas, Caroline

Masterton, Paul
MacDonagh, Siobhain
McDonald, Stuart C.
McGinn, Conor
McMorrin, Anna
Moran, Layla
Nandy, Lisa
Orford, Dr Matthew
Reynolds, Jonathan
Russell-Moyle, Lloyd
Shannon, Jim
Sharma, Alok
Smith, Laura

Sobel, Alex
Stephens, Chris
Sweeney, Mr Paul
Thewliss, Alison
Twist, Liz
Vaz, Valerie
Western, Matt
Wheeler, Mrs Heather
Williams, Dr Paul
Wilson, Phil

Tellers for the Ayes: Mrs Maria Miller and David Linden

NOES

Afrange, Adam
Argar, Edward
Baker, Mr Steve
Bradley, Ben
Brady, Sir Graham
Bruce, Fiona
Burns, Conor
Caulfield, Maria
Chope, Sir Christopher
Davies, Philip
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Drax, Richard
Duddridge, James
Duncan, rh Sir Alan
Dunne, Mr Philip
Field, rh Mark
Foster, Kevin
Fysh, Mr Marcus
Gaile, Sir Roger
Goodwill, rh Mr Robert
Grant, Bill
Hall, Luke
Hancock, rh Matt
Hands, rh Greg
Hayes, rh Mr John
Hollobone, Mr Philip

Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenrick, Robert
Jones, Andrew
Kerr, Stephen
Lefroy, Jeremy
Leigh, Sir Edward
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mak, Alan
McVey, rh Ms Esther
Merriman, Huw
Mills, Nigel
Orford, Dr Matthew
Philip, Chris
Purseglove, Tom
Rosindell, Andrew
Stewart, Bob
Swaym, rh Sir Desmond
Symms, Sir Robert
Tomlinson, Michael
Villiers, rh Theresa
Wrappa, Mr William

Tellers for the Noes: Andrew Bridgen and Bob Blackman

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Ordered,

That the following Standing Order shall have effect for the remainder of this Parliament—

(1) There shall be a select committee, called the European Statutory Instruments Committee, to examine and report on—

(i) any of the following documents laid before the House of Commons in accordance with paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018—

(a) a draft of an instrument; and

(b) a memorandum setting out both a statement made by a Minister of the Crown to the effect that in the Minister’s opinion the instrument should be subject to annulment in pursuance of a resolution of either House of Parliament (the negative procedure) and the reasons for that opinion, and

(ii) any matter arising from its consideration of such documents.

(2) In its consideration of a document referred to in paragraph 1(i) the committee shall include, in addition to such other matters as it deems appropriate, whether the draft instrument—
Instruments”.—by inserting, in the appropriate place, “European Statutory Committee: Membership) be amended, in the second paragraph, for the remainder of the Parliament, or until this Standing Order nominated to the committee shall continue to be a member of it to such a request within such time as it may specify.

(3) The committee shall have regard to the reasons offered by the Minister in support of the Minister’s opinion that the instrument should be subject to the negative procedure.

(4) Before reporting on any document, the committee shall provide to the government department concerned an opportunity to provide orally or in writing to it or any subcommittee appointed by it such further explanations as the committee may require except to the extent that the committee considers that it is not reasonably practicable to do so within the period provided by the Act.

(5) It shall be an instruction to the committee that it shall report any recommendation that the affirmative procedure should apply within the period specified by the Act.

(6) The committee shall consist of sixteen Members of whom at least seven shall be women and at least seven shall be men.

(7) The committee and any sub-committees appointed by it shall have the assistance of the Counsel to the Speaker.

(8) The committee shall have power to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee’s order of reference.

(9) The committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report from time to time.

(10) The committee shall have power to appoint sub-committees and to refer to such subcommittees any of the matters referred to the committee.

(11) Each such sub-committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report to the committee from time to time.

(12) The committee shall have power to report from time to time the evidence taken before such sub-committees, and the formal minutes of sub-committees.

(13) The quorum of each such sub-committee shall be two.

(14) The committee shall have power to seek from any committee of the House, including any committee appointed to meet with a committee of the Lords as a joint committee, its opinion on any document within its remit, and to require a reply to such a request within such time as it may specify.

(15) Unless the House otherwise orders each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament, or until this Standing Order lapses, whichever occurs sooner.

(16) This Standing Order, to the extent that it relates to a regulation-making power provided to the Government under sections 8, 9 or 23(1) of the European Union (Withdrawal) Act 2018, shall lapse upon the expiry of the power to make new regulations under those sections and shall lapse entirely upon expiry of the last such remaining power.

LIAISON COMMITTEE

Ordered,

That the Order of the House of 6 November 2017 (Liaison Committee: Membership) be amended, in the second paragraph, by inserting, in the appropriate place, “European Statutory Instruments”.—(Andrea Leadsom.)

ADDITIONAL SALARIES

Ordered,

That the Order of the House of 19 March 2013 (Positions for which additional salaries are payable for the purposes of section 4A(2) of the Parliamentary Standards Act 2009) be amended, in paragraph (1)(a), by inserting, in the appropriate place, “the European Statutory Instruments Committee”.—(Andrea Leadsom.)

EUROPEAN UNION WITHDRAWAL (DOCUMENTS)

Ordered,

That where, under Paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018, any document is to be laid before this House, the delivery of a copy of the document to the Votes and Proceedings Office on any day during the existence of a Parliament shall be deemed to be for all purposes the laying of it before the House; and the proviso to Standing Order No. 159 shall not apply to any document laid in accordance with this Order. —(Andrea Leadsom.)

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EUROPEAN UNION

That the draft European Union (Definition of Treaties) (Comprehensive and Enhanced Partnership Agreement) (Armenia) Order 2018, which was laid before this House on 4 June, be approved.—(Mims Davies.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 18 July (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Association Agreement) (Central America) Order 2018, which was laid before this House on 4 June, be approved.—(Mims Davies.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 18 July (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Political Dialogue and Cooperation Agreement) (Cuba) Order 2018, which was laid before this House on 4 June, be approved.—(Mims Davies.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 18 July (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Strategic Partnership Agreement) (Canada) Order 2018, which was laid before this House on 4 June, be approved.—(Mims Davies.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 18 July (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Framework Agreement) (Australia) Order 2018, which was laid before this House on 4 June, be approved.—(Mims Davies.)
The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 18 July (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)).

That the draft European Union (Definition of Treaties) (Partnership Agreement on Relations and Cooperation) (New Zealand) Order 2018, which was laid before this House on 4 June, be approved.—(Mims Davies.)

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 18 July (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)).

ELECTRICITY

That the draft Contracts for Difference (Miscellaneous Amendments) Regulations 2018, which were laid before this House on 6 June, be approved.—(Mims Davies.)

Question agreed to.

USE OF CHAMBER (WOMEN MPS OF THE WORLD CONFERENCE)

Motion made,

That this House welcomes the events organised to celebrate women's suffrage and to mark the centenary of the Representation of the People Act 1918; recognises that the Women MPs of the World Conference provides a unique opportunity to gather parliamentarians from across the world to engage in discussions about equal representation and bring about social change; and accordingly resolves that delegates participating in the Women MPs of the World Conference should be allowed to make use of the Chamber of this House on a day in November other than a day on which this House is sitting or a day on which the UK Youth Parliament is making use of the Chamber.—(Mims Davies.)

Hon. Members: Object.

PETITIONS

Home Education: draft guidance and consultation

11.20 pm

Maria Caulfield (Lewes) (Con): I rise to present a petition on behalf of residents in the Lewes constituency. The petition states:

The petition of residents of Lewes,

Declare that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc. [P002225]

Sir Desmond Swayne (New Forest West) (Con): This is the petition of Mrs Melanie Ealing and constituents of New Forest West, who similarly complain that the home education community was not properly consulted and similarly requests that the House of Commons urges the Government to withdraw the draft guidance and the consultation.

Following is the full text of the petition:

[The petition of residents of the New Forest West,

Declare that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation.

And the petitioners remain, etc.]

And the petitioners remain, etc.

[16 JULY 2018]
Whole Company Pay Policy

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

11.22 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): I start by placing on the record the fact that as of last month I am the owner of a single share in Sainsbury's. It was my golden ticket to attending its annual general meeting earlier this week—but more about that parallel universe experience later in my speech.

First, I turn to fat cat Thursday. By lunchtime on Thursday 4 January, the top chief executives in the UK had earned more than their average employees would over the course of the entire year. The chief executives of FTSE 100 companies earn an eye-watering £898 per hour, which results in astronomical figures more like telephone numbers than salaries. I have no qualms about those at the top being paid well. I am not calling for a salary cap or a widespread cut to chief executives' pay. My call is far simpler: for consistency, parity and fairness, for the importance of the contribution of those at the bottom being recognised in tandem with the contribution of those at the top. Put simply, I am calling for organisations to determine the pay and reward schemes of all their employees in one whole company pay policy.

I would like to discuss the common themes of pay ratios, remuneration committees and the living wage—the most wonderful of ideas that is disappointingly littered with loopholes. I would also like to bring to the attention of the House and the Minister an organisation that, in my opinion, epitomises all that is wrong when a company does not have a whole company pay policy. But let us start with pay ratios.

In 2002, the pay of a FTSE 100 CEO was an extortionate 79 times that of their average employee. Fast forward 16 years to 2018, and it has sky rocketed to 150 times. Let me put that into perspective. These are chief executives who are paid an estimated 132 times more than a police officer, 140 times more than a teacher, 165 times more than a nurse, and an astronomical 312 times more than a care worker. I am in no position to prescribe the highest acceptable pay ratio, but there can surely be no doubt in anyone's mind that those ratios are unacceptable, unjust and unfair.

Of course, there have been some developments in public policy. From 1 July 2019, companies with more than 250 employees will be obliged to reveal and justify their pay ratios. That can only be a good thing, because it will directly pressure the companies with the most extreme pay ratios. That seems to me to be a common-sense way of providing sensible alignment between workforce and executive pay. It is a straightforward, practical, whole company pay policy.

Can the Minister explain how the Government intend to determine correctly the pay ratios of companies that outsource their low-paid roles to look more equal than they actually are and what mechanisms the Government intend to introduce to ensure that such extreme ratios do not occur in the first place? May I suggest that he note the example of Sweden—which, incidentally, is ranked one of the happiest countries in the world—where companies with big pay gaps face fines if they fail to close them?

It is not just extortionate salaries that generate these unjust pay ratios, but extraordinary incentive schemes, often reserved for those who sit at the very top of organisations. The Companies Act 2006 made it clear that non-executive board members were responsible for all stakeholders, rather than just for shareholders, and that, of course, includes all staff. However, it is still commonplace for many organisations to fail to recognise that company performance is based on the contribution of all staff, not just those at the very top. I have no problem with the retention of incentive pay for executives, but such incentive schemes should be available to all staff on the same terms. Why should any organisation have a rule for some employees that is not a rule for all?

In December 2017, the Financial Reporting Council produced its proposed revisions of the UK corporate governance code, requiring remuneration committees to “oversee remuneration and workforce policies and practices, taking these into account when setting the policy for director remuneration.” That seems to me to be a common-sense way of providing sensible alignment between workforce and executive pay. It is a straightforward, practical, whole company pay policy.

The need for such a policy becomes all the clearer when we consider exploitative “pay between assignment” contracts. The theory behind such contracts is a guarantee of a basic level of pay when an agency worker is between assignments and thus out of work, but, in reality, staff are often kept on the contracts even when they have been working in the same job for years without such a gap “between assignments”. Let us take, for example, an Argos distribution centre where agency staff earn £7.50 an hour, while core staff can earn up to £11.86 per hour—63% more than their agency counterparts—despite performing exactly the same role with the same responsibilities and despite having worked at the organisation for the same length of time. Repealing these contracts has been continuously recommended by parliamentary Committees and even the Taylor report. I understand that the Government are currently deciding whether to subject these contracts to greater enforcement, but I completely agree with the Communication Workers Union that the need instead is for these contracts to be abolished once and for all.

Then there is the issue of the national living wage, referred to by the hon. Member for Strangford (Jim Shannon). In theory it is an excellent idea, but in practice it is a deceptive tool used by some of the biggest organisations to cut terms, conditions and salaries. When it was introduced, former Chancellor George Osborne declared that Britain would get a pay rise. The infuriating reality is that a huge number of high-profile organisations have instead used its introduction to save funds by negatively impacting their most long-standing staff—their basic salary goes up, but to the detriment of
the rest of their working conditions. These organisations should be named and shamed: I am referring to the likes of Marks & Spencer, B&Q, Zizzi, Ginsters, Le Pain Quotidien, Caffè Nero and countless others that have sought legislative loopholes against the spirit of the law.

Put simply, there should be more fairness. If someone is promised a pay rise, they should receive a pay rise. Organisations can dress it up however they like, but we, as politicians of all parties, need to call it out. That is exactly what I am doing today.

I have called this debate because I believe I have found an organisation that epitomises all the problems I have described so far, and more. 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. But the organisation’s lack of a whole company pay policy has led to the most disgraceful discrepancies, whereby new contracts will see thousands of shop-floor staff have their salaries slashed while senior staff take home bonuses worth hundreds of thousands of pounds. If shop-floor staff do not sign these unscrupulous new contracts, they will be forced to resign. Here is the reality: 9,000 loyal and long-standing Sainsbury’s staff will see their wages fall by up to £3,000 per year by 2020. They will lose their paid breaks; their Sunday premium pay will be removed; the nightshift will be shortened; and their bonus scheme will go.

Some might argue that this is an unavoidable cost-cutting exercise for a key player in the struggling retail sector. Sainsbury’s itself argues that it is an exercise in fairness, ensuring that all colleagues doing the same role are paid the same. But I would argue that this is an organisation crying out for a whole company pay policy owing to those at the top being treated independently from those at the bottom. Either that, or I have misunderstood the definition of fairness, because while Sainsbury’s has scrapped the bonus scheme for its shop-floor staff, it has, astonishingly, awarded an eye-watering bonus of £427,000 to CEO Mike Coupe as part of his £3.4 million pay packet. No wonder he sings “We’re in the money.”

But this is no laughing matter. Many of these 9,000 staff have given decades of dedication to this organisation and tell me that they simply cannot afford to continue working there. While their salaries crumble, their bills, their mortgages and their rent are all still the same at the end of each month. I wonder if Sainsbury’s remuneration committee gave even a moment’s thought to these staff when they signed off their executive bonuses. Losing up to £3,000 per year might not seem like much to Mr Coupe when his pay packet equates to his taking home over three times that amount every single day, but for the thousands of staff losing out and their families every penny really does count.

I have done all I possibly can to raise the case of these staff with the Sainsbury’s board, which I expected, at the very least, to show some regret at the despair it is causing. Mr Deputy Speaker, I will let you be the judge of how regretful they are. Take the meeting I had with Rebecca Reilly, group head of communications, and Simon Roberts, retail and operations director, where I was astonished to hear the most long-standing colleagues who are losing thousands of pounds a year described as “anomalies”. Or take chief executive officer Mike Coupe, who, after his recent bruising session with the Business, Energy and Industrial Strategy Committee, refused to speak to me and raced away down the Portcullis House corridor. Or take the chaotic scenes at Sainsbury’s annual general meeting where, I am bewildered to report, my every move was followed by two senior Sainsbury’s staff.

After the meeting, I decided to use the opportunity to speak directly to the board members. This was their chance to justify their decision to me in person. Can you imagine how furious I was to see them hurried out of the room as I approached, surrounded by colleagues acting like bodyguards? I do not think I am scary, and I certainly do not think I am significant, but Sainsbury’s shop floor staff are significant and Sainsbury’s should be absolutely ashamed of the disgraceful disloyalty that they are showing these staff. Take Michelle, who has worked at Sainsbury’s for more than 20 years and stands to lose over £1,000 a year. She says that she has always loved her job, worked with amazing colleagues and been a proud and loyal employee for a good employer. That is why she found it so hard to speak out. Her petition on change.org has now been signed by 125,000 colleagues and customers from across the country.

Or take Mr and Mrs Wilson, who have given over three decades of service to Sainsbury’s between them and yet anticipate that they will lose almost £6,000 a year as a family. Or, finally, take Mrs Taylor, who works in one of the 150 branches of Argos that are now located inside Sainsbury’s stores. Once the new contracts are introduced, Mrs Taylor can expect her hourly pay to be £1.20 less than that of her Sainsbury’s colleagues, despite working in the same store. That is what makes Sainsbury’s insistence that this is an operation in fairness so much less believable.

Could the need for a whole company pay policy be any clearer? What is needed is a policy where the pay for all staff is decided collectively at one point in time by one committee in the organisation. The consultation on these new contracts at Sainsbury’s is coming to a close. Hundreds of MPs have signed letters of support, and thousands upon thousands of colleagues and customers have spoken out. Even the Prime Minister has expressed concern. Perhaps the only hope left for these loyal staff members is a strong statement of support from the Minister this evening.

After a hard day’s work, the very least that an employee deserves is to take home a fair wage that is proportionate to that of their colleagues. Without a whole company pay policy, organisations such as Sainsbury’s can justify treating each level of their staff hierarchy independently and rewarding the minority at the top at the expense of those at the bottom. The damaging decomposition of workers’ rights under this Government has been widely felt. The enforcement of whole company pay policies would be the first step back to a country where hard-working employees can expect to receive a fair deal at work.

11.38 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I congratulate the hon. Member for Mitcham and Morden (Siobhain McDonagh) on securing this evening’s debate. This is an important subject, and I commend her passion and her extensive campaigning on behalf of lower-paid workers in our economy. However, I know that she
wants more than to be commended by me; she wants answers to her questions. I shall do my best to provide them. I recognise, and sympathise with, her view that executive pay in this country too often seems to exist in a bubble that is disconnected from the pay and experiences of ordinary working people.

I accept the hon. Lady’s numbers. We saw a staggering quadrupling in the average pay of FTSE 100 chief executive officers from the late 1990s to 2011 from just under £1 million a year to more than £4 million. I think that this has been imported from America, where the differences are even larger. Executive pay levels have largely stabilised since then, but shareholders and the wider society have increasingly questioned how such dramatic levels of reward can be justified, both in terms of individual performance and in relation to a company’s pay policy as a whole. The Government share that concern. We are not against CEOs being well paid for doing what is certainly a hugely demanding and important job. We accept that they have a lot of responsibility. For example, if part-time workers are included, Sainsbury’s has 180,000 people, and any one person who is responsible for 180,000 people certainly deserves rewarding well. I do not think that anyone would dispute that.

Jim Shannon: The point that the hon. Lady made with passion is that workers who have given effort, commitment and loyalty to a firm should be rewarded. The whole workforce should be rewarded, not just one person.

Richard Harrington: I absolutely agree, but pay is earned for several reasons. Hard work is definitely one of them. I am not comparing ourselves, but we are all here at 11.40 pm, so no one could say that we are not working hard. The dispute would come from the second reason for pay, which is how well someone is working and the their responsibilities. I would not ask the hon. Gentleman to intervene to say how well he thinks I am doing, but I certainly know that he and the hon. Member for Mitcham and Morden do a good job. I am not making light of the situation; I mean that reward is partly based on how well someone is doing and partly on how hard they work, but part of it is about responsibility. We would all agree that chief executives have a lot of responsibility, and they should not have job security because they are putting themselves on the line for workers, shareholders, banks or whomever it might be. This is a question of extent and of how much reward is performance related and how much of it is a basic salary. I hope that the hon. Member for Mitcham and Morden and the hon. Member for Strangford (Jim Shannon) do not think that I am trying to make light of this, because there is a significant issue here.

We may disagree on this, but I think the answer lies with transparency and accountability in how executive pay is set and in how it fits with wider employee pay and incentives. The Government have introduced major reforms on executive pay, and the first package in 2013 and the second package approved by Parliament just last week are important. The 2013 reforms compelled quoted companies to disclose each year the total pay and benefits of their CEOs and directors and to explain how that relates to company and individual performance. For the first time—this is important—we gave shareholders a legally binding vote on a company’s executive pay policy, with which all payments to directors must comply. Taken together, the two reforms have forced companies to be much more rigorous and transparent in their approach to executive pay.

However, more needed to be done, in particular to increase transparency and accountability in how pay at the top relates to pay and reward across the rest of the company. It is vital that companies demonstrate cohesion and a comprehensible line of sight between executive pay and the pay of other employees. They are all part of the company, and part of its success, and a confident organisation should be willing and able to explain how its approach to pay is consistent across all its employees. That is why the Government are now implementing major new statutory and code-based reform measures on executive pay as part of a wider package of corporate governance reform.

The headline reform measure—this is directly relevant to the hon. Lady’s speech—is to require all quoted companies to disclose and explain the ratio of their CEO’s pay to both the median average and the quartile pay of their UK employees. The pay ratio statement must include an explanation of:

whether, and if so why, the company believes the median pay ratio for the relevant financial year is consistent with the pay, reward and progression policies for the company’s UK employees taken as a whole.”

That will allow shareholders, employees and other interested parties to see how pay in the boardroom relates to wider employee pay throughout the company and, importantly, whether and how the directors of the company believe the differentials are justified. This is not just about employees, important though they are, because shareholders have strongly backed the introduction of pay ratio reporting and will be watching closely both the figures and the explanations, which they have made clear must be meaningful and relevant.

UK shareholders are increasingly vocal and assertive in holding companies to account on executive pay and other issues, which the Government support. The Government requested the Investment Association to establish the world’s first public register of shareholder dissent, so that there is a publicly monitored record of companies that receive more than 20% votes against executive pay packages. Halfway through the first year, there have been 140 significant shareholder rebellions on pay and other matters—more than the total for the whole of last year.

The Government have asked the Financial Reporting Council to consult on a number of new executive pay provisions in the UK corporate governance code, including a requirement for remuneration committees to explain what engagement with the wider workforce has taken place on how executive pay aligns with wider company policy. I am pleased to say that this new measure forms part of the revised corporate governance code published by the FRC earlier today—this is very topical—as part of a wider package of corporate governance reforms that require companies to put in place one or more of either a director appointed from the workforce, a formal workforce advisory panel or a designated non-executive director. It is complicated, but we are making developments.

Companies will have to report on how they have had regard to the interests of employees. The statutory instrument was approved by Parliament last week and requires large companies to report each year on how
they have had regard to the interests of their employees and on how it has influenced the decision making of directors.

All these measures will be in place from the start of January 2019, and I take the opportunity to thank everyone in this House, particularly the Business, Energy and Industrial Strategy Committee and the all-party parliamentary group on corporate governance, for their constructive contributions to this agenda over the past two years.

Before I finish, I will address some of the questions raised by the hon. Member for Mitcham and Morden.

Siobhain McDonagh: Will the Minister address the issue of pay between assignment contracts?

Richard Harrington: I will do my best but, if the hon. Lady is not satisfied with my answer because of the time available, I would be very happy to meet her to discuss this complex subject.

The question of agency staff being paid less despite doing the same work are known as assignment contracts, as I am sure you are aware, Mr Deputy Speaker—you are omnipotent and know everything, or most things, I have ever asked you about. The hon. Lady referred to that as subcontracting some of the lower-paid workers. The Government are looking into that as part of our response to the Taylor review. There is a specific consultation on agency workers in response to that. I know that might not sound like the comprehensive answer the hon. Lady wants, but it is work in progress and I suggest she wait a little before having the meeting, when I will be happy to go through it with her.

Mr Simon Roberts, the retail and operations director of Sainsbury’s, wrote a very comprehensive letter to the Government proudly saying that Sainsbury’s has met the hon. Lady on several occasions. Mr Roberts clearly has not satisfied her, but he has written a four-page letter to us about it. At least Sainsbury’s has had the guts to meet the hon. Lady, and I am sorry that she is not satisfied.

Sainsbury’s has 185,000 employees, and the hon. Lady’s main point is that it is unfair of Sainsbury’s to continue paying its CEO a bonus while cutting bonuses and other variable pay for the rest of its 185,000 staff. The company says it has taken steps to improve its pay offer and specifically to put in place measures to support the staff most affected by the proposed changes, which of course I welcome. I wonder whether the hon. Lady is aware of that.

Siobhain McDonagh: I am completely unaware of what those measures are, because I assure the Minister that at the annual general meeting last week there was a bullish contribution from the chair of the board saying it had done nothing wrong and that it is equalising pay. My concern is that 9,000 of Sainsbury’s most long-standing members of staff will be getting a pay cut from 2020.

Richard Harrington: I will send Mr Simon Roberts a copy of the Hansard record of this debate tomorrow and say that the hon. Lady is not satisfied with that answer. I will ask what the details of the improved pay offer are and what measures have been put in place to support the staff most affected by the proposed changes. On the face of it, I welcome what has been done, but it may be that this is not exactly as Sainsbury’s says it is. The company says it is committed to increasing its hourly rate of pay from £8 to £9.20 an hour from September and it has promised top-up payments from 18 months to support what it says are the “small minority” of Sainsbury’s employees whose loss of certain benefits will have seen them worse-off overall under the pay deal.

In conclusion, I thank the hon. Lady again for giving the House the opportunity to debate these important issues. It is absolutely right that companies approach pay and reward holistically and that executive pay aligns with wider pay and reward. I think the new reforms that Parliament has approved will help in that regard, while keeping the UK a world leader in corporate governance.

Question put and agreed to.

11.50 pm

House adjourned.
Oral Answers to Questions

**BUSINESS, ENERGY AND INDUSTRIAL STRATEGY**

_The Secretary of State was asked—_

**1. Peter Aldous (Waveney) (Con):** What steps he is taking to support growth in the offshore wind sector. [906485]

_The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark):_ Offshore wind has been a fantastic UK success story. Costs have halved and jobs have been created. In my hon. Friend’s constituency, the port of Lowestoft has been a construction base for the Galloper project. It will shortly become the base for East Anglia ONE’s 25-year operations and maintenance work. We want to build on that success. Our clean growth strategy said that we could see a further 10 GW of new capacity in the 2020s. There is the opportunity for additional deployment if that is cost-effective.

_Peter Aldous:_ I am grateful to the Secretary of State for that answer and I will be at the opening of the East Anglia One operations and maintenance base on Friday in Lowestoft. Offshore wind, as he said, is bringing significant benefits to coastal communities, though to realise its full potential there is the need to ensure that local people and businesses have every opportunity to take part in the success story. Can he confirm that this will be the Government’s No. 1 priority in the forthcoming sector deal?

_Greg Clark:_ My hon. Friend makes an excellent point. I hope that the event later in the week goes well; I am sure it will. He is absolutely right that part of the industrial strategy, in particular the local industrial strategies, is to make sure that the benefits of these investments are available to the local workforce, and I know that he will work very closely with new Anglia local enterprise partnership to ensure that that is the case.

_2. Jeff Smith (Manchester, Withington) (Lab):_ What his policy is on supporting small and medium-sized renewable power generating companies after the scheduled closure of the feed-in tariff scheme. [906486]
The Minister for Energy and Clean Growth (Claire Perry): The hon. Gentleman will know, because there are more than 6,000 installations in Manchester alone, that the feed-in tariff scheme has been hugely successful in attracting investment in small-scale renewable electricity, delivering more than 800,000 installations across the country. Partly as a result of that scheme, costs of the technology have dropped dramatically, but also because of the success of the scheme, it became, as he will know, very unaffordable. I am very aware of the need to set out what the next stage of small-scale renewable investment looks like, and I look forward to doing so shortly.

Jeff Smith: Businesses are very aware of the need too. There are thousands of stakeholders in the renewables industry who need to understand the regulatory framework that they will be operating under when the feed-in tariff ends. The Government promised an update on the approach to small-scale renewables by the end of last year, but we have heard nothing. Will the Minister please tell us today when the feed-in tariff consultation will be published?

Claire Perry: I share entirely the hon. Gentleman’s desire for us to get on with it. In fact, I have met many representatives of the sectors. We just have to get the scheme right. We must not create something that causes a bonanza for people who are gaming the system or that puts up bills for consumers. We are very aware of the need to provide certainty for investors, and I look forward to doing so soon.

17. [906503] Martyn Day (Linlithgow and East Falkirk) (SNP): Solar power has been shut out of clean power options for three years, and onshore wind vilified. Will the Minister heed the National Infrastructure Commission’s recommendations to forge new nuclear investment in favour of bringing back clean power options for cheap and established renewables?

Claire Perry: I can only refer to the comments of my right hon. Friend the Secretary of State. We want to provide a balanced, secure energy supply that keeps bills down for consumers. That is why we will be investing in nuclear. We have invested in many forms of renewable energy. In fact, we are now leading many parts of the world in that investment, and we will continue to do so.

Dr Alan Whitehead (Southampton, Test) (Lab): Solar PV installations this year will be running at just 2% of their peak rate in 2011. This is certainly due to the downgrading and forthcoming closure of the FIT scheme in March 2019. As the Minister has mentioned, a consultation on FITs has now been promised for a year. It was supposed to have been published by this recess; now it is not. Why is the Minister fiddling about the future of FITs while the solar house burns down?

Claire Perry: Such alliteration, despite such late nights. The hon. Gentleman will know that we have been really successful in pulling forward a huge amount of solar. In fact, solar has contributed enormously to the energy mix over the past few days, as the hon. Gentleman will know. Much of it is not recorded because it sits behind the meter. However, I acknowledge his point. We intend to bring forward a scheme that works, that does not put up bills for consumers and that acknowledges that much of our renewable future will be subsidy-free.

Taylor Review of Modern Working Practices

3. Alex Norris (Nottingham North) (Lab/Co-op): What progress he has made on planned consultations on (a) employment status, (b) agency workers and (c) enforcement of employment rights as a result of the recommendations of the Taylor review of modern working practices.

15. Jo Stevens (Cardiff Central) (Lab): What progress he has made on planned consultations on (a) employment status, (b) agency workers and (c) enforcement of employment rights as a result of the recommendations of the Taylor review of modern working practices.

The Minister for Energy and Clean Growth (Claire Perry): In the Government’s response to the review, we committed to take forward recommendations to improve clarity on employment status, boost protections for agency workers and increase state enforcement of basic rights for vulnerable workers. Consultations finished last month, and we have had more than 420 responses. I give huge thanks to all stakeholders who contributed; we will be responding very shortly.

Alex Norris: Insecure work weakens our economy. Last week the Office for National Statistics reported falls in manufacturing and construction output. The past few weeks have been dominated by Ministers worrying about their jobs. When will the Government have a functioning industrial strategy that worries about my constituents’ jobs?

Claire Perry: I am sure the hon. Gentleman and his constituents will welcome today’s news that we have record employment in the British economy. We totally agree with him that the future of work is good work, which is why we commissioned the Taylor review and want to deal with the challenges of the gig economy. I hope that we will get cross-party support for those vital protections for his constituents and for mine.

Jo Stevens: Rather than simplify employment law, the Taylor review has recommended introducing yet another category of workers, so we will have three tiers with different employment protections. The EU directive on transparent and predictable working that is currently being considered provides an EU-wide definition of workers, clarity and transparency, and the right to a written statement of terms and conditions on day one of employment. Will the Minister confirm that the Government will support the directive, so that it is adopted before 29 March next year?

Claire Perry: Again, I thank all respondents to the consultation, including many high-quality responses from the unions. We will respond to the consultation in due course.

Rachel Reeves (Leeds West) (Lab): One in six workers in our economy is now self-employed. Some are bogusly self-employed—not entitled to the basic protections that we should all expect when we go out to work every day. Matthew Taylor’s review into good work was published
Innovation (Mr Sam Gyimah): The strategy challenge fund, as well as higher education we are funding, through United Kingdom Research and Innovation, which brings together all the research agencies in the UK, is that, for the first time, we have a strategic brain to direct UK research so that we can allow innovation and ingenuity to flourish in our universities. That is the best way to create returns that benefit the economy but also the best minds in our country.

Mr Speaker: I am sure that the hon. Member for Huddersfield did not bellow from a sedentary position like that when, as I referenced recently, he served with great distinction as a local councillor in the 1970s.

Jim Shannon (Strangford) (DUP): I have one of the foremost medical research centres on the border of my constituency at Queen’s University Belfast. Will the Minister outline what grants are available to enhance facilities in these world-class research centres?

Mr Gyimah: The hon. Gentleman makes a good point. I am particularly interested in the research that Queen’s University Belfast is doing, particularly around areas of cyber-security. I look forward to visiting it in due course. Obviously, UKRI deals with all of the UK and that university will benefit from grants from UKRI too.

British Motor Sector

5. John Spellar (Warley) (Lab): What recent discussions has he had with trade union representatives on the future of the British motor sector.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): On 25 June, I met Unite the union to discuss its views on how Government can best support the UK automotive sector. I met Tony Burke and representatives from the Jaguar Land Rover, Toyota and GKN unions. The Secretary of State and I also speak to the unions regularly through their membership of the Automotive Council.

John Spellar: I thank the Minister for having that meeting, because under Conservative, Labour and even Lib Dem Ministers, Britain rebuilt its motor industry by working closely with industry and the unions. Unfortunately, more recently, ill-considered lurches in policy by the Department for Transport, which are less like the prosperity agenda and the industrial strategy and more like Soviet 10-year plans, are creating deep uncertainty, especially for the diesel sector, where Britain is a world leader. What will the Minister now be doing with unions and companies to get our motor industry policy, across Government, back on track?

Richard Harrington: The Government’s “Road to Zero” strategy, which was published last week, made it clear that there is a continuing role for clean diesel...
vehicles as we reduce carbon dioxide emissions from UK road transport. It has been generally welcomed by the automotive industry.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): We have seen tremendous investment in the motor industry over the years, not least in Toyota in Derbyshire. What are the Government doing to encourage more investment?

Richard Harrington: My right hon. Friend will be very aware of the number of meetings we have with the automotive industry and of how closely we are working with it on the sector deal. The Automotive Council met only in the past couple of weeks, and that was one of the top things on the agenda for discussion.

Mr Jim Cunningham (Coventry South) (Lab): Some 53% of our exports rely on Europe. What are you doing to protect that market for us?

Mr Speaker: I am doing absolutely nothing on the matter.

Richard Harrington: I hope the hon. Gentleman has read the Chequers agreement and the White Paper. I will be very happy to forward him a copy. It explains how the views and interests of the motor industry are central to how the sector works throughout all countries in the European Union, including us. We will continue in a friction-free way that is very much to the advantage of the automotive industry.

Jack Dromey (Birmingham, Erdington) (Lab): The success of Jaguar Land Rover and the Jaguar plant in my constituency has transformed the lives of thousands in an area of high unemployment. Now JLR is facing the twin challenge of the transition from diesel on the one hand and the threat of Brexit on the other. Does the Minister agree that wide-eyed Brexiteers appear to believe that we can crash out of the European Union with no consequences for jobs, that they are wrong and they are letting down British workers, British industry and Britain?

Richard Harrington: I hope the hon. Gentleman does not think my eyes are too wide. Despite your efforts last week, Mr Speaker, there seems to be a shortage of Members on both sides of the Chamber who have actually read the White Paper. I would be very happy to give one to him.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Moving to electric vehicles should be transformative for our country and our £77 billion car sector, creating new markets and jobs in manufacturing, services, the supply chain and battery recycling. What are the Government doing? Their Faraday challenge does not cover manufacturing or skills; they have ditched renewable energy investment, delayed the £400 million investment in charging infrastructure and allowed the takeover of GKN’s world-leading battery technology, and yesterday they voted for a customs plan that will sever automotive supply chains, putting more than 800,000 jobs at risk. Is it not the Government’s role to help create high-skilled, high-productivity jobs, not destroy them?

Richard Harrington: I totally agree with the hon. Lady: it is the Government’s role to do exactly that. That is why we have the Faraday battery challenge, which covers skills, and why the Government are putting so much effort into battery technology and clean technology for this country. I am very proud of that. I have seen skills in the automotive industry when I have visited car factories and the schools around them. The number of apprenticeships shows that the Government are totally committed to skills. We have a very bright future with batteries.

Low-Paid Workers

6. Mike Wood (Dudley South) (Con): What steps he is taking to ensure that low-paid workers are remunerated appropriately.

7. 11. Paul Masterton (East Renfrewshire) (Con): What steps he is taking to ensure that low-paid workers are remunerated appropriately.

8. 22. Ben Bradley (Mansfield) (Con): What steps he is taking to ensure that low-paid workers are remunerated appropriately.

The Minister for Energy and Clean Growth (Claire Perry): There used to be those who said it is not possible to have protection for minimum-wage workers and lots of jobs. How wrong they are! Today, thanks to a Conservative Government since 2010, we have record employment, and a full-time worker on the minimum wage is now £3,800 better off thanks to the wage legislation we passed and changes to the income tax personal allowance. Since 2015, we have doubled the budget for enforcing the national minimum wage, and last year we identified a record 15.6 million workers who were not being paid properly for low-paid work.

Mike Wood: Will my right hon. Friend encourage HMRC to investigate proactively employers who are systematically breaching national minimum wage legislation, instead of expecting each worker individually to complain and produce detailed evidence?

Claire Perry: That is absolutely right. Any employer who is not paying the national minimum wage and is breaching the law deserves to be found out and taken to task. That is why HMRC is conducting proactive risk-based analyses, particularly in sectors or areas where there is a high-risk of workers not being paid. In 2016-17, HMRC proactively investigated over 1,400 cases, in which 68,000 workers were being illegally underpaid. That is absolutely outrageous, and penalties have been issued. The work will continue: employers must pay the national minimum and living wage.

Paul Masterton: I thank the Minister for her answer. She highlights that a number of employers are not paying the minimum wage, so what support do the Government intend to give small employers to help ensure that they can pay their employees a fair wage?

Claire Perry: That is an excellent point, and it is quite right that small employers who may struggle with some of this are encouraged to do so. We have taken up to £3,000 off their national insurance contributions bill through the employment allowance. We have cut corporation tax from 28% in 2010 to 19% today, and we reduced business rates to the tune of £2.3 billion in
the 2017 Budget. All that is going into small employers’
cash flows, so they can pay their workers what they
deserve.

Ben Bradley: The latest figures show that weekly
wages in Mansfield are notably—several hundred pounds
a week—lower than the national average. Projects such as
the Heathrow logistics hub could provide huge opportunities
for my constituents, but what support are the Government
offering to help low-wage areas such as Mansfield and
Warsop attract such high-skill and well-paid jobs?

Claire Perry: I commend my hon. Friend for fighting
tirelessly for his constituents. I basically reassure him
that, through the industrial strategy—it, of course, sets
out our long-term plan to boost productivity and earning
power across the country—we are supporting the
development of local industrial strategies to drive up
productivity, because productivity increases are what
drive pay increases.

Stephanie Peacock (Barnsley East) (Lab): Given the
Court of Appeal’s decision last Friday, will the Government
now urgently bring forward legislation to end the
uncertainty and to enshrine the right of all workers on
all shifts to the national minimum wage, including for
careworkers’ sleep-ins?

Claire Perry: The hon. Lady makes a powerful point. I
know from my own constituents the difficulty that the
original decision has provided both for employers and
for workers. I am afraid that I cannot answer her question
from the Dispatch Box, but I will take it away and write
to her.

Mr Dennis Skinner (Bolsover) (Lab): Not only is it
ture that the number of people on zero-hours contracts
is rising at a very high rate, but the Government do not
seem to think that it is anything to do with them. There
are close on 1 million people on zero-hours contracts—there
are 2,000 or 3,000 on one pit site in Shirebrook near
Mansfield in my area—and the Government sit idly by.
It is only when they talk about the golden future for
workers and get stuck in with getting rid of zero-hours
contracts that we will believe a word they say.

Claire Perry: I am afraid the hon. Gentleman, despite
the rhetoric, is just wrong. I have visited some of the pit
areas, and one of the saddest things I ever saw was a
former pit engineer who, because of the appalling transport
links left as a terrible legacy to the pit areas, was unable
to get out of the area and find work. [ Interruption. ] If
he would just listen for one second, he would know that
many people on zero-hours contracts actually choose that
level of flexibility. [ Interruption. ] Well, they do,
and the hon. Member for Newcastle upon Tyne Central
(Chi Onwurah) should talk to her constituents and find
out. However, he is absolutely right that the thing we
need to do—[ Interruption. ] Blimey, you must be hell to
live with. [ Interruption. ] He must be hell to live with;
not you, Mr Speaker, clearly. The hon. Gentleman must
be hell to live with. He will know that this Government
are determined to drive up wages and standards for
working people, because we, not the north London
intelligentsia, are the party of working people.

Alison Thewlis (Glasgow Central) (SNP): The lowest-
paid workers are young workers, who are not entitled
even to the Government’s pretendy living wage. A 17-year-
old is entitled to £3.63 an hour less than a 25-year-old
starting on the same day in the same job. When will this
Government end the scandal of state-sponsored age
discrimination?

Claire Perry: My understanding is that there have
always been differentials for different age groups. We
will continue to review this because we are the party
that nationally—right across the UK—wants to make
sure that productivity and wages increase, rather than
using the rhetoric we hear from other Members.

Industrial Strategy

7. Michelle Donelan (Chippenham) (Con): What steps
his Department has taken to tackle the challenges set
out in the industrial strategy.

13. Julian Sturdy (York Outer) (Con): What steps his
Department has taken to tackle the challenges set out in
the industrial strategy.

The Minister for Energy and Clean Growth (Claire Perry):
Blimey, Mr Speaker, I am getting through them today.
As my right hon. Friend the Secretary of State laid
out at the northern powerhouse business summit, the
industrial strategy is encouraging innovation across
the UK, developing those high-quality jobs and wages we
all campaign for. Sector deals are about building long-term
partnerships and businesses, and the grand challenges
in areas such as clean growth will equip the UK to seize
opportunities and be a world leader in the industries of
the future.

Michelle Donelan: One of the biggest challenges we face
is the STEM skills gap, something that I repeatedly mention
in this place, given that Wiltshire is a hub of engineering
design and technology. What work is my right hon.
Friend doing with the Department for Education to ensure
that we are developing the skills needed by businesses?

Claire Perry: I thank my hon. Friend and neighbour
for the work that she has successfully done in her
constituency promoting the importance of STEM skills.
We are working with the Department for Education to
grow STEM skills in the UK through initiatives such as
T-levels, by investing more than £400 million, and I am
particularly keen that that work focuses on harnessing
the huge potential of women, a group who are very
under-represented in the sector. That is why initiatives
such as POWERful Women are so important.

Julian Sturdy: The Government’s commitment to creating
a globally competitive technical education system must
be applauded, and I hope that they will draw on best
practice from establishments and institutions in my
constituency, such as York College and Askham Bryan
College. Can the Minister update me on discussions she
is having directly with businesses about the creation of
new institutes of technology, and will she consider
rolling them out as quickly as possible?

Claire Perry: My hon. Friend is right: these have to
be a collaboration between the Government, business
and local decision makers. We will announce in the
autumn which institutions will make up the country-wide
network, supported by £170 million of funding for the
institutes of technology. As we set out in May, the first pupils will sit the first of the new T-levels in September 2020.

Vernon Coaker (Gedling) (Lab): One of the real challenges for the Government’s industrial strategy is how to ensure that investment is rolled out across all the regions and nations of the UK. How, practically, will the industrial strategy ensure that that happens—in particular, in regions that have failed to get the investment they deserve such as the east midlands?

Claire Perry: That is an excellent question, and the proof of all this will be taking our grand aspirations for the UK and making them work locally. I am pleased to tell the hon. Gentleman that we have fantastic local areas, often working cross-party—I am thinking particularly of Teesside and the west midlands—I think we have really engaged local leaders and decision makers in pulling that investment through and developing their own local industrial strategies.

Emma Little Pengelly (Belfast South) (DUP): Northern Ireland has an excellent construction industry. Unfortunately, it has been difficult over the past number of years because of the lack of the Northern Ireland Assembly and decision making. Can the Minister outline what discussions have taken place between her Department and Northern Ireland to ensure that Northern Ireland benefits from the new construction sector deal?

Claire Perry: We talk regularly with representatives from Northern Ireland, which is—as the hon. Lady will know—a vital part of the UK. The sector deal that we have done with the construction sector—more than half a billion pounds set out between the Government and industry to drive up the productivity of that sector—of course applies to Northern Ireland. We look forward to seeing productivity increase across the UK.

Steve Double (St Austell and Newquay) (Con): The space sector will play an important role in achieving the aims of the industrial strategy. Will my right hon. Friend the Minister join me in welcoming the agreement signed by Virgin Orbit with Spaceport Cornwall at Farnborough air show yesterday, and will she ensure that the Government continue to work with Spaceport Cornwall to make sure that we have horizontal satellite launch in this country as soon as possible?

Claire Perry: Unlike the Minister for Universities, Science, Research and Innovation, I was unable to enjoy the announcement at Farnborough yesterday, but I agree with my hon. Friend that it is a fantastic announcement. He and Cornwall County Council should celebrate it, and I look forward to visiting Cornwall on Friday, where this topic and many other industries will be addressed.

Chris Elmore (Ogmore) (Lab): One of the challenges but also opportunities for the Government’s industrial strategy is working with the devolved Administrations. Can the Minister set out what discussions she has had with the Welsh Government to ensure that the long-term industrial strategy supports industries such as Ford in Bridgend, which employs many hundreds of workers in my constituency?

Claire Perry: Again, that is an excellent point, demonstrating that we are so much stronger when we work together. We all, including my right hon. Friend the Secretary of State, speak to representatives of the devolved Administration on issues such as the auto sector deal and the nuclear sector deal, which was very much a joint effort.

Industrial Strategy: Scotland

8. Bill Grant (Ayr, Carrick and Cumnock) (Con): What steps the Government is taking to ensure that Scotland benefits from the modern industrial strategy.

[906493]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I am pleased to assure my hon. Friend that our modern industrial strategy continues to deliver strongly for Scotland. The progress in negotiations for a growth deal with Ayrshire demonstrates our commitment to regional growth. Investment in Scotland through the industrial strategy challenge fund includes last month’s £13 million for a medicines manufacturing innovation centre in Renfrewshire.

Bill Grant: I thank the Minister for that reply. In November 2017, the Secretary of State announced a review into how Scotland’s two Governments can collaborate better on business support. Will he update the House on the progress of that review, and will he reassure me that he will strive to ensure that the industrial strategy and the Scottish Government’s business support programmes complement, rather than compete, with each other?

Richard Harrington: I am very pleased to reassure my hon. Friend, who works so hard on this subject, that we continue to work closely with the Scottish Government on many industrial strategy priorities, including our support for innovation and business productivity. Regarding the review, work is under way across government to determine its scope. Clearly, our partnership with the Scottish Government will be essential as that progresses.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Scrapped subsidies for renewables, failure to support the oil and gas sector in its time of need, betrayal over the pledge to invest £1 billion in new carbon capture in Peterhead—now, the Government are seemingly poised to splash £15 billion more of taxpayers’ cash on outdated nuclear technology at Hitachi’s Wylfa plant. When will we get an industrial strategy that actually works for Scotland?

Richard Harrington: That is not the picture of the oil and gas industry that I know following a visit to Aberdeen, where I saw more investment, more Government support and more support in the area for this Government’s industrial strategy. I am a great admirer of the hon. Gentleman normally, but I think he must have read the wrong script for this question.

Small Business Sector

9. Craig Tracey (North Warwickshire) (Con): What steps he is taking to support growth in the small business sector.

[906494]
16. Scott Mann (North Cornwall) (Con): What steps he is taking to support small and medium-sized businesses in the south-west.

20. Kevin Foster (Torbay) (Con): What steps he is taking to support growth in the small business sector.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): This Government recognises the importance of small businesses and supports them through a range of initiatives. The British Business Bank is supporting over 70,000 smaller businesses with over £26 million through Be the Business. The Government’s online finance finder and the business bank’s finance guide, get to know how to use the finance they need, including business rates.

Richard Harrington: We want to ensure that all businesses get to know how to use the finance they need, including our 1.2 million women-owned businesses. Alongside the online finance finder and the business bank’s finance guide, the business bank is working with partners to understand the representation of women in venture capital firms.

Scott Mann: Some small businesses in Cornwall have seen increases in their business rates. This is against a platform of increased online sales. What discussions is the Department having with the Treasury to ensure fairness in our taxation system?

Richard Harrington: We thank my hon. Friend for that question. Some people would argue that Ministers engage with the Treasury too often on many matters, but we engage with them regularly on this matter. The Chancellor has been clear that we need to find a better way to tax the digital economy. We are making progress on that subject, but the hon. Lady is right: starting small businesses is very difficult and it always has been. Some of them survive and some do not, and some go on to be extremely successful larger businesses. She is right to be concerned about the amount of support that government, local and national, give them, and I can assure her that it is at the top of our agenda.

Kevin Foster: Small businesses in Torbay could benefit significantly from a coastal enterprise zone, as part of a town deal for our area. What view does the Minister take of this type of arrangement?

Richard Harrington: I thank my hon. Friend for all the work he has done for Torbay businesses. I understand that the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Rossendale and Darwen (Jake Berry), who has responsibility for local growth, recently had a positive meeting with him and representatives from Torbay to discuss their proposals for local economic growth. I encourage Torbay to continue to work with local partners as it develops its plans, including the Heart of the South West local enterprise partnership, which will play a central role in the local industrial strategy for the area.

Ruth George (High Peak) (Lab): Evidence to the Work and Pensions Committee on the operation of the minimum income floor for small businesses under universal credit stated that the percentage of small businesses surviving the first 15 months would fall from 70% to less than 20%. What representations has the Department had with the Department for Work and Pensions to support the growth of enterprise and small businesses?

Richard Harrington: We have many and regular meetings at all levels with the Department for Work and Pensions on that subject, but the hon. Lady is right: starting small businesses is very difficult and it always has been. Some of them survive and some do not, and some go on to be extremely successful larger businesses. She is right to be concerned about the amount of support that government, local and national, give them, and I can assure her that it is at the top of our agenda.

Rachael Maskell (York Central) (Lab/Co-op): There may be a lot of discussion between the Department for Business, Energy and Industrial Strategy and the Treasury, but the reality is that there is no action on business rates. Our retail sector is closing down and 200,000 businesses have been taken to the magistrates court for non-payment, so when will we have a review of business rates and when will we see change?

Richard Harrington: I think that the hon. Lady is misinformed. There has been significant help for small businesses on business rates in previous Budgets and this is being looked at all the time.

Ronnie Cowan (Inverclyde) (SNP): The Scottish Government Budget provided £96 million to deliver the most attractive business rates package in the UK. How long do firms and entrepreneurs have to wait till the UK Government use their industrial strategy, put their money where their mouth is and follow Scotland’s lead?

Richard Harrington: The UK Government really do need to take very many lessons from Scotland on how to help businesses with business rates and every other form of business support. Actually, the working relationship between the two Governments is pretty good and we aim to provide a good business environment for all businesses on both sides of the border.

UK Science Base: Funding

10. Adam Afriyie (Windsor) (Con): How much funding his Department has provided to the UK science base in the last 12 months.

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): The principal research funding route is through UK Research and Innovation, which in 2018 alone accounts for over £6 billion of investment in research and innovation. I am proud that the Conservative Government have overseen the largest increase in scientific research and development funding that we have ever seen in the UK. We are investing an additional £7 billion in R&D by 2022, as a first step in delivering our ambition of increasing the UK’s R&D spend to 2.4% of GDP.
Adam Afriyie: As a former shadow Science Minister, I am very conscious of the increases in funding, particularly in cash terms, but I am also acutely conscious that it is not just cash but the availability of talent that matters when it comes to science, innovation and the industrial base. Given the recent concerns around Brexit and everything else, will the Minister reassure me that the availability of highly talented scientists will still be a priority for this Government?

Mr Gyimah: The increase in funding is actually in real terms, but my hon. Friend is absolutely right: to succeed here, we have to be open to ideas and open to talent. He will have seen the recent relaxation in the tier 5 visa restrictions for scientists. We are also investing £900 million in UKRI’s flagship future leadership fellowships and a further £350 million for the national academies to expand their prestigious fellowships. When it comes to science, innovation and research, we are open for business.

Daniel Zeichner (Cambridge) (Lab): I am sure that the Minister saw the recent report from the Office for Life Sciences, which showed that R&D investment in the pharmaceutical sector fell from £4.9 billion per annum in 2011 to £4.1 billion in 2016—a decline of £800 million per annum. To what does he attribute that, and given that life sciences are so important, what does he plan to do about it?

Mr Gyimah: I am aware that everyone in the life sciences sector has welcomed the life sciences sector deal. As part of our work to reach 2.4% of our GDP being invested in scientific research by 2027, we will be working with the pharmaceutical industry along with other industries to increase their research investment in the UK.

Carol Monaghan (Glasgow North West) (SNP): When can we expect an announcement of the funding for the next phase of the national quantum technologies programme?

Mr Gyimah: I am very much aware of that and am in discussions with UK Research and Innovation. An announcement will be made very soon.

Sainsbury’s-Asda Merger

12. Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): What assessment has he made of the effect of the merger of Sainsbury’s and Asda on the employees of those companies.

Mr Gyimah: The hon. Gentleman will be aware that the merger is a matter for the companies themselves. They have, however, given an assurance that there are no planned closures and confirmed that Asda will continue to be run from Leeds with its own chief executive officer. The Competition and Markets Authority is looking at other aspects of the merger.

Mr Gregory Campbell (East Londonderry) (DUP): A lot of jobs are sustained by local suppliers to both supermarkets. What opportunities will the Minister take to ensure that that continues, and in fact increases, with the newly formed company?

Mr Gyimah: The potential impact on suppliers and the supply chain is a very valid concern, given the market power that the combined entity will have, which is why my right hon. Friend the Secretary of State wrote to the CMA asking it to look at the impact on the supply chain as part of its ongoing investigation.

Leaving the EU: Services Sector

14. Wera Hobhouse (Bath) (LD): What assessment he has made of the effect on the services sector of the Government’s negotiating position for leaving the EU agreed on 6 July 2018.

Mr Gyimah: The potential impact on suppliers and the supply chain is a very valid concern, given the market power that the combined entity will have, which is why my right hon. Friend the Secretary of State wrote to the CMA asking it to look at the impact on the supply chain as part of its ongoing investigation.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The Government are seeking a comprehensive deal on services that will continue to allow our thriving services sector to trade with the rest of the EU, including, for example, through the mutual recognition of professional qualifications and a new economic and regulatory arrangement on financial services.

Wera Hobhouse: The City of London Corporation said of the Brexit White Paper “the financial and related...services sector will be less able to create jobs, generate tax and support growth” across the wider economy. What discussions did the Government have with the services sector before the Chequers deal was signed off?

Greg Clark: I and our colleagues in the Treasury have constant discussions with the services sector. It is important that our distinctive financial services sector not be subject to a set of rules in the future that might be very much against its interests. Everyone who knows the City needs to recognise that the flexibility and distinctiveness of our approach must continue.

Rebecca Long Bailey (Salford and Eccles) (Lab): Airbus, Jaguar Land Rover, BMW, Siemens—just a few of the businesses that have recently spoken out about the Government’s handling of Brexit. They alone provide thousands of jobs and significant investment in the UK, but the Government’s chaos is putting this in jeopardy. The Secretary of State himself was forced to rebuke the flagrant dismissal of his own Front-Bench colleagues, stating that big employers were entitled to be listened to with respect. Would he say that he has now listened to the concerns of business with respect?

Greg Clark: The hon. Lady is absolutely right. Those businesses did speak out. Since the publication of the White Paper, they have also recognised that the zero-friction
proposal made in it merits support and they have committed to advocating for it across the rest of the EU, as I hope that she will.

Rebecca Long Bailey: Well, the CBI and the British Chambers of Commerce have both said they are no clearer on the Government’s negotiating position in several key areas, and last night business leaders are reported to have warned the Prime Minister that her customs legislation was not fit for purpose, but the Government pressed ahead, even accepting amendments that their own colleagues state fundamentally undermine the Chequers proposal, and wrecked it, caving in to the hard, no deal Brexiteers. When exactly will the Secretary of State’s Government start paying more than lip service to the concerns of business?

Greg Clark: The hon. Lady is wrong. All the organisations she mentioned have given the White Paper and the Chequers proposals a warm welcome. In the Prime Minister’s Mansion House speech, we committed to minimising frictions at the border. The proposal now is to have zero friction at the border. That is strongly in the interests of business and allows our successful supply chains to continue to prosper. We need the Opposition to recognise the national interest in having a good deal. Almost everyone in the country wants a good deal negotiated between Britain and the EU. Rather than edging for difference and trying to make political points, she should get behind this excellent suggestion for the country.

Self-employed Workers

18. Eleanor Smith (Wolverhampton South West) (Lab): What steps he is taking to ensure that employment law protects and supports self-employed workers. [906504]

The Minister for Energy and Clean Growth (Claire Perry): The hon. Lady will know through her long and distinguished service in various union careers that the challenge of ensuring that all workers, whether employees, workers or self-employed, receive the rights and protections they are entitled to without having to fight for them is at the heart of the Taylor review. I hope that she and her colleagues will welcome the recommendations made.

Eleanor Smith: Like my hon. Friend the Member for Leeds West (Rachel Reeves), I want to draw the Minister’s attention to the plight of many self-employed workers in today’s modern workforce. More and more people are classed as self-employed, but they have no protection rights. They have no redundancy rights, no pension protections, no sick pay, no holiday pay and no parental leave pay. Why do the Government believe that self-employed people do not deserve the same entitlements as employees?

Claire Perry: I think the hon. Lady probably knows that the Government do not believe that. However, she has identified the real challenge that is out there in the workplace. It is not always clear what status an employee has, and that is something that we must clarify. One of the fundamental points in the Taylor review related to employment status and access to statutory employment rights. I am not ruling out being able to do more for self-employed workers, but at the heart of the review is the need to understand the definitions involved, and to ensure that people in those categories are given the rights and protections that they deserve and for which the hon. Lady and I have campaigned.

Ellie Reeves (Lewisham West and Penge) (Lab): Companies such as Uber and Pimlico Plumbers wrongly categorise their workforces as self-employed in order to deny them basic rights such as holiday pay and even the national minimum wage. I have heard what the Minister has had to say today, but when will the Government finally clamp down on false self-employment and exploitative practices?

Claire Perry: The hon. Lady will know that we have already made progress. Up to 300,000 workers who are entitled to payslips will now receive them, all workers are given a statement of their terms and conditions from day one, and 1.2 million agency workers are given a breakdown showing who pays them. We know that we must do more, but we want to respond carefully to the hundreds of responses to the Taylor review consultation that we have received, so that we can make the necessary changes and ensure that those practices are stamped out.

Facilitated Customs Arrangement

19. Angela Smith (Penistone and Stocksbridge) (Lab): What assessment his Department has made of the effect of the Government’s proposed facilitated customs arrangement on UK businesses. [906505]

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The proposed arrangement is a significant advance on the Mansion House speech. Instead of just minimising frictions at the border, it provides for zero frictions. That has been welcomed by businesses generally, including, at the Farnborough air show yesterday, Boeing, which is of course an important investor in the hon. Lady’s city.

Angela Smith: I thank the Secretary of State for his answer, but I am somewhat surprised. The Government’s White Paper tells us that the facilitated customs arrangement is designed to “preserve frictionless trade for the majority of UK goods trade, and reduce frictions for UK exporters and importers.” Will the Minister please tell us which goods will be excluded by the arrangement, and what level of friction business can continue to expect?

Greg Clark: We are very clear about the fact that, as has been recognised by businesses up and down the country, the proposal provides for zero frictions at the border. That is very important for advanced manufacturing, which is itself very important in the city that the hon. Lady represents.

Mr Speaker: John Whittingdale—not here.

Topical Questions

T1. [906511] Ruth George (High Peak) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Eight months ago I told the House that the aim of our industrial strategy was to
create prosperous communities throughout the country, and since our last questions session we have implemented that strategy across the United Kingdom.

Last month, at the international business festival in Liverpool, we announced £1.3 billion of investment in the next generation of research and innovation talent. I travelled to Trawsfynydd, in north Wales, to launch the nuclear sector deal, which will drive down energy costs for consumers. In Newcastle, as part of the Great Exhibition of the North, we launched our construction sector deal, aiming to cut build time by 50%. At the same time, the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Rossendale and Darwen (Jake Berry) was in Grimsby, helping to unveil stage 1 of a landmark town deal.

Just yesterday I was at the Farnborough air show, where the Prime Minister announced £343 million of investment in civil aerospace, and we announced a new era of space flights in the UK, with a vertical satellite launch site at Sutherland and support for the development of horizontal launch sites at Newquay, Snowdonia and Prestwick.

Ruth George: Businesses in my constituency say that they need exactly the same regulations as those that apply in the European Union so that they can continue to compete with competitors for EU custom. What is the Department doing to ensure that, not just now but in the future, there will be no regulatory divergence and no undercutting of British firms?

Greg Clark: A big part of the White Paper is the commitment to a common rulebook. Our sophisticated supply chains allow goods to be sold throughout the European Union, and businesses have made it clear that they want to continue to do that after Brexit, which is why they have welcomed the White Paper so warmly.

T2. [906512] Peter Aldous (Waveney) (Con): With the construction sector deal setting out several options to tackle poor payment practices, can the Secretary of State assure me that retention deposit schemes, as proposed in my private Member’s Bill, which has significant industry and cross-party support, will be given full consideration and, hopefully, Government backing?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I have met my hon. Friend to discuss his Bill, and we fully understand that the practice of retention has caused problems for the construction industry supply chain. We are fully committed to tackling the issue, but any action we take needs to be robust, proportionate and evidence-based. We have listened and consulted, and we will shortly be publishing the response to a public consultation considering several options including a retention deposit scheme.

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): UK steelmakers are paying up to 50% more for their electricity than their European counterparts, which is reducing their competitiveness on the global stage. Ofgem’s targeted charging review is set to exacerbate the situation. What representation has the Minister made to Ofgem regarding its review and the effect of that review on both the steel sector and energy-intensive industries in the UK?

Richard Harrington: We meet Ofgem very regularly to discuss this and other matters, and we are very aware of the situation. As the hon. Lady knows, I have met many companies in the steel industry and discussed this, and it is very much part of our discussions with Ofgem and others.

T3. [906513] Sir Edward Leigh (Gainsborough) (Con): Last night the House of Commons voted to enshrine it in law that if under a facilitated customs arrangement we collect tariffs on behalf of the EU, that should be done on a reciprocal basis. Is it really practical to expect a Croatian border guard to start levying tariffs on our behalf on bottles of wine? Is there the remotest chance that the EU will ever agree to this reciprocal arrangement? Is it not time to return to a free trade deal?

Greg Clark: I think most people in this country want to have an agreement that means that we do not have checks and bureaucracy at the border and that we can continue the success of our businesses. Part of the negotiation that will take place during the summer is to make sure we can deliver that, and I am sure most Members of this House wish the Prime Minister success in that.

T4. [906514] Mrs Emma Lewell-Buck (South Shields) (Lab): Earlier this year Health and Safety Executive figures showed that there has been a rise in work-related deaths—up to 144 between 2017 and 2018—and that is more prevalent among those on bogus self-employment contracts. People have lost their lives; what more will it take for this Government to take some real action against the scourge of bogus self-employment?

Greg Clark: We have been very clear in commissioning the Matthew Taylor report; we have been in advance of any other country in the world in looking to make sure that as the economy changes we preserve the protections we have always insisted on for workers, and the hon. Lady should welcome that.

T6. [906516] James Cartlidge (South Suffolk) (Con): In this glorious summer weather, it is easy to forget that this winter our constituents who still use heating oil saw very sharp price rises. Does the Minister therefore agree that not only should our constituents take advantage of this weather to fill up their tanks for what is likely to be a lower price, but we should encourage initiatives like community buying which can also help villages and other communities to buy their heating oil at a lower price?

The Minister for Energy and Clean Growth (Claire Perry): Like me, my hon. Friend has a rural constituency, and many of us live off-grid and are at the mercy of these rises. We know that the market for heating oil does function: it has been reviewed and is considered to be competitive. But my hon. Friend will know that I have also set out an aim that we want to get all new properties built in areas off-grid off fossil-fuel forms of heating by 2025, as that is not only costly but very carbon-producing.
Claire Perry: The hon. Lady makes an excellent point, and I would be happy to meet her to discuss this. I am thinking back to the days when we used to go out and try to sell goods from various catalogues and I used to collect the money. That was exploitative then, and I suspect that it is exploitative now. Perhaps she and I should meet; I would be happy to discuss the matter.

Richard Harrington: I can assure the hon. Gentleman that we are having regular meetings with all the business representative bodies and the Department for Education to ensure that levy funds are spent properly, for the purpose for which they are meant and in local areas by the companies that pay the levy.

Martin Vickers (Cleethorpes) (Con): The Secretary of State referred earlier to the visit of his colleague, the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Rossendale and Darwen (Jake Berry), to north-east Lincolnshire to sign the Greater Grimsby town deal, which is very welcome and I thank him for his support in achieving that. One of the things that his colleague will have seen is the great opportunity to develop trade through the Humber ports. The Humber local enterprise partnership, the local authority, the Hull and Humber chamber of commerce and local businesses have been working towards the possibility of free port status, post Brexit. Can the Minister assure them that nothing that comes out of the negotiations will prevent that from happening?

Greg Clark: I am grateful to my hon. Friend for his question, and I am sorry that I was unable to be in Grimsby. I could not be in Newcastle and Grimsby on the same morning, but that does not remove my commitment to visit Cleethorpes and Grimsby, and perhaps the free port proposal is one of the things that we could discuss when I do so.

Anna Turley (Redcar) (Lab/Co-op): Will the Secretary of State update my constituents on the ongoing discussions with his Department to transfer full responsibility for the former SSI steelworks site to the South Tees Development Corporation? Will he also pledge to commit the £200 million needed to regenerate the site, which would bring in 20,000 jobs and enable the Tees Valley to embark on its industrial renaissance?

Greg Clark: I pay tribute to the hon. Lady and other Members who have worked closely with the development corporation. The discussions have been very positive. They have not concluded yet, but I think everyone recognises that there has been great progress and that there is a very good future for that site.

Stephen Kerr (Stirling) (Con): The Stirling city region deal is the perfect opportunity for the industrial strategy to deliver for Scotland. Will Ministers meet me to discuss what resources could be diverted from Victoria Street to Stirling to support the industrial strategy’s execution?

Greg Clark: My hon. Friend knows that I am a great champion of devolution and decentralisation, and he makes an intriguing suggestion, which I would be very happy to take up in discussions with him.

Toby Perkins (Chesterfield) (Lab): Many small care agencies face bankruptcy in the light of the Treasury advice on the way in which sleep-ins are paid, which has now been changed by the courts. The Minister for Energy and Clean Growth, the right hon. Member for Devizes (Claire Perry), did not seem to know too much about this, but may I urge her to avail herself of the facts urgently, because many small agencies will go bust if we do not get this right?

Claire Perry: I want to reassure the hon. Gentleman; he is absolutely right. I have had strong representations and visits about this issue in my own constituency. My reluctance to comment on it at the Dispatch Box is because it is legally incredibly complicated, as he knows, and we have just had the freshest possible news about the judgment. We need to take that away, and we will comment on it shortly. I would be very happy to work closely with him on this issue.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Two weeks ago, I and colleagues from across the House, along with hundreds of others, attended a poignant service of remembrance at the Piper Alpha memorial in Aberdeen to mark 30 years since the worst tragedy in offshore oil and gas production. That tragedy claimed 167 lives, and many of those people were from Aberdeenshire.
What are the Government doing, along with the industry, to ensure that UK oil and gas remains the world leader in health and safety practices offshore, so that we can avoid another tragedy such as this?

**Claire Perry:** Thirty years seems like a long time ago, but this is still the freshest possible knowledge for many people in my hon. Friend’s constituency: 167 men, many from a tight area in the north-east of Scotland, perished in the worst offshore disaster we have ever had in the history of our industry. Nothing will ever bring them back, but it was the findings of the Cullen inquiry that drove the changes that have made the UK a world leader in health and safety, and I want to pay tribute to our colleagues in the Health and Safety Executive, because they continue to focus on safety first when it comes to exploiting the resources in the North sea.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): To avoid double-charging on battery installations, the Government have pledged to amend the Electricity Act 1989 when parliamentary time permits. Instead of a two-day holiday next week, is that change something that the Government could start to look at?

**Claire Perry:** That will be part of the entire review of how we bring forward the necessary investment in battery technology to support renewable energy intermittency.

**Martin Whitfield** (East Lothian) (Lab): Will the Minister confirm support for the Civil Nuclear Police Federation in its meeting this summer with his Cabinet colleagues over the proposals to reduce retirement and pension ages for armed officers from 67 to 68 down to 60 to match those of the police?

**Richard Harrington:** I can confirm that I have been in discussions with the CNPF. I have met the chief constable and the chairman, and I visited the civil nuclear police on site at Sellafield. I am well aware of the issue, and I am in discussions with colleagues at the Treasury and elsewhere.

**Several hon. Members rose**—

**Mr Speaker:** I always encourage people who are unsuccessful in substantive questions to put a topical if they so wish. It is sometimes difficult to attract their attention if they are busily studying their electronic devices, but if the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) wishes to participate, now is his opportunity.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC) **indicated dissent.**

**Mr Speaker:** Such forbearance. We will hear from the hon. Gentleman subsequently. He has had his chance, but he does not want to have a go on this occasion—it is a self-denying ordinance. [Interruption.] We know about Mr Sheerman, who is always ready to have a go.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): May I urge the Secretary of State to visit West Yorkshire to talk to our highly successful textile entrepreneurs? They are not quite gold-plated, but they are not daft and they want to know about frictionless trade. They need to be persuaded, because they do not believe that it is possible after Brexit.

**Greg Clark:** I am always delighted to go to Yorkshire and to meet industries, including the textiles industry. I hope that the hon. Gentleman will join me so that we can go through the proposals in the White Paper, and the entrepreneurs will see that they will be able to continue to trade free of frictions.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): Prestwick, with its clear weather, transport links and aerospace park, is one of the frontrunners to be a horizontal-launch spaceport. In 2016, the then Transport Minister said that the Government would no longer be picking spaceport sites, but the narrative around the current grant process seems to be reversing that. Will the Business Secretary clarify who will choose where launch facilities are developed: the space industry or the Government?

**Greg Clark:** I am surprised that the hon. Lady has not welcomed the fact that the first commercial rocket site in Europe will be in Sutherland in the north of Scotland. We are keen to bring the next wave of innovation, which is horizontal launch, and it is the UK Space Agency, which brings together the expertise that is required, that will advise on the right location for it.

**Several hon. Members rose**—

**Mr Speaker:** Order. We must now move on.
Electoral Commission Investigation: Vote Leave

12.37 pm

Chuka Umunna (Streatham) (Lab) (Urgent Question): To ask the Minister for the Cabinet Office if he will make a statement on the findings of the Electoral Commission’s investigation into the conduct of the Vote Leave campaign.

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I am proud to say that the UK has a clear and robust electoral system, and we will continue to implement the referendum’s result and to make a success of it.

Mr Speaker: No, there is just a general air of excitement.

Chloe Smith: Let us take that and work with it.

I am proud to say that the UK has a clear and robust electoral system, and we should all be proud of the democracy in which we live and work. I place on the record my thanks to all those involved in the electoral commission, which works hard at every poll to deliver it within the law such that we can be proud of our democracy.

The Electoral Commission is the independent body that oversees the conduct of elections and referendums and regulates political finance. The commission regularly reports on the running of elections and referendums and conducts thorough investigations into allegations that rules have been breached. Electoral law exists to ensure fair campaigning, and the commission has determined that those rules have been broken. Both Vote Leave and BeLeave have been fined and referred to the police, and it would not be appropriate for the Government to comment on ongoing police investigations.

That electoral rules have been breached is rightly a cause for concern, but that does not mean that the rules themselves were flawed. The Government will continue to work closely with the Electoral Commission, along with many other stakeholders in the electoral system, to protect the integrity, security and effectiveness of referendums and elections. Let me make it clear for the record that we will continue to implement the referendum’s result and to make a success of it.

Chuka Umunna: The findings of the Electoral Commission are shocking, and Vote Leave’s actions are an affront to our democracy and to the fundamental British value of fair play. The commission’s legal counsel described Vote Leave’s behaviour as follows:

“Vote Leave has resisted our investigation from the start, including contesting our right as the statutory regulator to open the investigation. It has refused to cooperate, refused our requests to put forward a representative for interview, and forced us to use our legal powers to compel it to provide evidence.”

Who do these people think they are? They think they are above the law.

With new facts arising every week, it is well known that there will be no extra £350 million a week for the NHS, and so on. We know Vote Leave’s claims turned out to be a fantasy, but we now know it cheated, too, and it is official. Given that there was a four percentage point gap between leave and remain, and given that Vote Leave overspent by just under 8%, does the Minister agree that we cannot say with confidence that this foul play did not impact on the result?

Does the Minister believe that Vote Leave acted in contravention of natural justice and of our democracy in acting in such an obstructive way? What urgent legislation will the Government bring forward to address the Electoral Commission’s serious concerns about the enforcement regime for electoral law, which it has raised today?

And who was at the scene of these crimes? Vote Leave was co-led by the current Secretary of State for Environment, Food and Rural Affairs, who co-convened its campaign committee. Where is he? Why is he not here? That committee was charged with overseeing the implementation of a framework that included the way in which fundraising was conducted and donations collected. He, along with the former Foreign Secretary, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), was part of a core group of the committee who met on a daily basis to ensure the campaign was on track. As such, either the Environment Secretary knew what was going on, which is a very serious matter, or, if he did not, how can we have any confidence that he is capable of overseeing his Department? What did he know? The International Trade Secretary, the Transport Secretary and the Brexit Secretary also sat on that committee. What did they know about what was going on?

In short, members of the Cabinet sat in an organisation that has been found to have flouted our democracy. Does all that not demonstrate that we need a full, urgent public inquiry into the leave campaign, given that it calls into question the legitimacy of the entire Brexit process that is preoccupying this House?

Chloe Smith: What this report demonstrates is that we have an electoral regulator that operates to rules that Parliament has set and that has found people in contravention of those rules. The hon. Gentleman asks a number of questions that go severely away from the report and, just to be clear, the report—I am reading from the report’s front page—is “of an investigation in respect of Vote Leave Limited, Mr Darren Grimes, BeLeave, Veterans for Britain”.

The report is not in respect of a number of others raised by the hon. Gentleman, and I will therefore not enter into those questions. I simply will not enter into discussion of other named individuals, nor will I enter into discussion of ongoing investigations, whether by the police or by the courts. [HON. MEMBERS: “Why not?”] Do we really need to begin by asking ourselves why the Government should not interfere in independent investigations and police examinations? I cannot believe that the Labour party needs the answer to that question so early in the afternoon.

As I said in my earlier remarks, we are getting on with delivering the result of the referendum. We have very clearly set out why we think that is the right thing to do, and it is fundamentally because we believe in the people’s ability to make a choice. That is why we respect the referendum result. Unfortunately, it is clear that the hon. Gentleman does not believe in the people’s ability to choose, and I think he argues instead that they should be asked again and again. I do not agree with his arguments but, none the less, I am here today to answer questions on this report by an independent regulator—I am happy to do so within my powers.

Sir Nicholas Soames (Mid Sussex) (Con): On a more general point, does my hon. Friend agree that one of the great glories of this sadly now diminished country
was our electoral and democratic system? This example today is gross, and I say to her that if we are to retain the integrity and the trust of the voting public, the whole damn thing needs to be blown and started all over again.

Chloe Smith: I understand the seriousness of that point and the points made earlier by the hon. Member for Streatham (Chuka Umunna), which were similar, but what I would just note is that the rules we are looking at in this report are rules that comprise our democracy. Our democracy comprises having such rules, among some other very important principles. In essence, our democracy is underpinned by the fact that we have such rules. That the rules were broken means that the system is in fact working; that we have a regulator that is able to conduct an investigation is one of the things that marks out the quality of our democracy. That the rules were broken does not actually mean the rules in themselves were flawed. In concluding my answer to my right hon. Friend’s question, let me say that Parliament, over the course of many years, has put in place those rules for referendums and for elections. If I heard him correctly, he asked for a wholesale reform of all of those rules. That is a very large undertaking indeed and it goes wider than the report we have before us today. I note that other investigations are ongoing, such as the Information Commissioner’s, and that ought to be looked at in the round by Parliament.

Christian Matheson (City of Chester) (Lab): I congratulate my hon. Friend the Member for Streatham (Chuka Umunna) on securing this urgent question and on his introductory remarks. Today’s report from the Electoral Commission is a devastating indictment of the official leave campaign’s conduct during the referendum, which has been found to be based on cheating and possibly lawbreaking. Financial expenditure was deliberately co-ordinated through what now appears to be nothing more than front organisations, and Vote Leave failed to co-operate with the Electoral Commission inquiry. It showed contempt for the law set by this House, which makes a mockery of claims to “take back control” and displays the breathtaking arrogance of people who clearly believed that the law of the land did not apply to them.

We only got to hear about these activities because of the bravery of whistleblowers. What was the response of those involved? They outed one of the whistleblowers as gay, without his permission, and therefore put him and his family at risk. One of the people responsible for this outing was working as a senior adviser in Downing Street. The Prime Minister refused to sack him, so presumably she supports, or at least excuses, these monstrous actions. Will she now, on the back of this report, dismiss him as an adviser?

Of course, as my hon. Friend has mentioned, senior members of the Government were involved in the Vote Leave campaign. Those include the Secretary of State for Environment, Food and Rural Affairs and the recently departed Foreign Secretary, who is uncharacteristically silent today. Will they now come to the House and explain their role in both the initial scandal and the cover-up? If the leaders of the Vote Leave campaign cannot be trusted to abide by the rules of the referendum, how can we trust them to abide by the rules of any future election? Indeed, how can we trust them to conduct their ministerial duties with honour, integrity and honesty? So can the Minister tell us whether the leaders of Vote Leave who are now Ministers or who are former Ministers will be referred to the Cabinet Secretary for investigation as to whether they have broken the ministerial code?

Yet again, we have been confronted this week by the chaos this Government have got themselves and the country into, dumping their own Euro civil war on the rest of us and sowing division throughout. We have Brexit extremists at war with their own Prime Minister, and a Government who at every stage have put party before country. Members in this House and the public are entitled to ask how on earth we got here, yet British politics and the British people deserve better than this. We cannot allow cheating and dishonesty to become accepted norms in our political system, so let me ask the Minister: what is her proposal to bring decent honest politics back to the fore? If this Government have not got any, perhaps it is time they moved aside for a Government who have.

Chloe Smith: Given that Labour Front Benchers are so committed to propriety, perhaps they should report themselves to the police for their national spending in the 2015 general election, for which the Labour party was fined by the Electoral Commission in October 2016. They are on thin ice if they think they are able to say that this cuts only one way. It does not.

We have in front of us a report of an investigation in respect of named individuals. I have already said that I am not going to comment on ongoing investigations, and that covers several of the points that the hon. Gentleman just raised. I will say again that the Electoral Commission is an independent organisation and can undertake any investigation that it feels is necessary. Indeed, as you know, Mr Speaker, it can report back to this House through your Committee on the Electoral Commission. That is its governance. The point is that we need to be able to say to the public who are watching this debate that we are getting on with delivering the result of the referendum in which they voted. [Interruption.] I can hear some Opposition Members shouting; perhaps it is that faction of the Labour party that believes in having a second referendum, or perhaps it is that faction of the Labour party that believes in not having one, or perhaps it is that faction of the Labour party that does not know what it believes in. What we believe in is that our independent—[Interruption.]

Mr Speaker: Order. I understand that there is very considerable angst about this matter, and I do want to accommodate colleagues who wish to question the Minister, but her answers must be heard.

Chloe Smith: We have an independent electoral regulator and it has done its work. I applauded it for doing its work and I am pleased that we have a regulator that is able to carry out such investigations into our democracy. That is what our democracy comprises—that we have rules that can be investigated is what makes this a democracy. That is a good thing. As I said before, there are questions that arise from this investigation and from others that are still ongoing. Those ought to be looked at in the round in due course. Where appropriate, the Government will of course come back to the House to do that.
Amber Rudd (Hastings and Rye) (Con): This matters. May I respectfully say to the Minister that she should not let the Government’s commitment to delivering on the referendum result obfuscate the real questions that are being raised? This has not come out of the blue; there has been a series of accusations and suggestions, in not only this campaign but others. The protection of the valid confidence that the public need to have in our elections every time is absolutely vital.

Chloe Smith: My right hon. Friend is right. We should all be in agreement that we should be seeking to protect confidence in our democracy. That is precisely the point. The point is that the regulator has carried out this investigation and we should be able to look at its report and understand what it says. That is today’s job in hand. After that, there may come things to which we need to return as a House, including various aspects of regulation, which would of course be a matter for Parliament. I made the point earlier that the extent of regulation that we apply to our democracy is quite great. It has been put together by Parliament over many decades. As my right hon. Friend says, this does all matter—absolutely. That is why we should all be prepared to look at the report and the other ongoing investigations and look at such things in the round.

Tommy Sheppard (Edinburgh East) (SNP): The Government are presiding over crisis and chaos as they drag the country towards an exercise in collective self-harm on an unprecedented scale. They are doing that on the back of a campaign that was morally questionable, based as it was on mobilising fear and prejudice, and politically questionable, based as it was on glib half-truths and lies, and we now know that it was a campaign that was organised illegally. The Minister’s responses are woefully inadequate. We need to know whether the Government will draw a line between themselves and the people implicated in this illegality. If they do not do so, they will lose any respect and integrity that they have left. I would like an assurance from the Minister, now, that anyone who was involved in working for Vote Leave, or who was on its board, will cease to hold office in Government or cease to be on the Government payroll.

Chloe Smith: For the avoidance of doubt, I am not going to make that commitment today, because a number of questions raised in the report are still subject to ongoing investigations. As I have already pointed out, that is in itself one of the important principles of our democracy and of how the regulation works independently of Government. The short answer is that no, I am not going to give such commitments here today.

Several hon. Members rose—

Mr Speaker: Order. There is extensive interest in this subject and I have granted the urgent question for the very simple reason that I have judged it to be urgent, so I am keen to accommodate colleagues. I remind the House, though, that there is a statement to follow and that the debate on the first group of new clauses and amendments to the Trade Bill has to conclude by 3.30 pm. There must be some time for debate on those matters; otherwise, it rather obviates the purpose of the remaining stages. I will call some colleagues, but some colleagues may be disappointed. I shall do my best, and I ask colleagues to help each other.

Sir Christopher Chope (Christchurch) (Con): Will my hon. Friend put the synthetic outrage of remain campaigners into some kind of context by reminding the House that many of those same remain supporters in this House tried to change the Electoral Commission’s rules on referendums to enable the then Government to breach the purdah rules? Fortunately, that attempt by that Government was thwarted by this House. Many of those remains would have liked to have a relaxed purdah arrangement.

Chloe Smith: My hon. Friend reminds us that, as I said earlier, there are arguments on this issue that cut both ways. He highlights how he sees an example of an infraction in another direction. I simply return to the point that we in the Government are getting on with implementing the result of the referendum. We think that is the correct response to retain the people’s trust in our democracy. As has already been said, that matters.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I do not think there is any moral equivalence between Members in this House attempting to change the law and organisations outside this House breaking it. Today, we found out that Vote Leave did break electoral law. Our democracy is fragile, and we have a responsibility to protect it and not take it for granted. How can we look the next generation in the eye and tell them to have faith in British politics when we know that false claims have been made, that the rules have been broken, that there has been international and foreign interference, and that the legitimacy of the most important vote in a generation has been undermined so profoundly?

Chloe Smith: The answer to the hon. Lady’s question is that because we have an investigation, we can look voters in the eye and say that where rules have been broken, punishments follow. That is what the report says.

Dr Sarah Wollaston (Totnes) (Con): The reality is that punishments are not following. We are talking about deliberate cheating and this money going to a firm that used highly sophisticated targeted Facebook advertising. In a quote since removed from the Aggregate IQ website, Vote Leave campaign director Dominic Cummings said: “We couldn’t have done it without them.” That is Dominic Cummings, who will not appear before Select Committees, having claimed during the campaign that he wanted to restore the sovereignty of Parliament. He runs away from accountably himself. Consequences must follow. We cannot have confidence that the referendum was secure, and it should be rerun.

Chloe Smith: The report is clear that consequences do follow. The Electoral Commission has issued fines and referred both Vote Leave and the BeLeave founder to the police. That is what I refer to when I say that consequences and punishments are following.

Mr Pat McFadden (Wolverhampton South East) (Lab): I reported the leave campaign’s intentions to both the Electoral Commission and the police two-and-a-half years ago, and four months before the referendum itself. In February 2016, the hon. Member for Wycombe (Mr Baker), who was then a leading figure in the leave campaign, wrote to colleagues saying: “It is open to the Vote Leave family to create separate legal entities, each of which could spend £700,000. Vote Leave will be able to spend as much money as is necessary to win the referendum.”
The Electoral Commission’s rules are specifically designed to stop this kind of thing. It says that we should “stop people getting around the spending limits by coordinating several campaigns at the same time.”

We have now established that spending limits were broken by the leave campaign precisely through separate legal entities following a common plan to get around the rules. Why is it that when such intent was reported four months before the referendum, it has taken two- and-a-half years to get to this conclusion? What does it say about the integrity of this result? Is it not ironic that the so-called people’s revolt against the elite was conspiring from the get-go to get around the rules with limitless money from goodness knows what source? Does the Minister not agree that this needs to be fully investigated to cleanse the cloud that has been cast over our democracy by these findings?

Chloe Smith: It is exactly the case that allegations of impropriety should be investigated. As I have said a number of times, it is that that means we have a robust democracy. I hear the right hon. Gentleman’s story. In part, I think it ends with this investigation. An investigation has been carried out, and it should be welcomed that it has been carried out and that it has found a result. If, on the other hand, his points are about the efficacy of the Electoral Commission—I think he was driving at the fact that it took two and half years—then that is a matter for Parliament. The Electoral Commission is accountable to Parliament through your Committee, Mr Speaker. It is indeed an independent regulator of Government, as it should be, and it is accountable to Parliament for how it conducts investigations and indeed whether it does so quickly enough.

Anna Soubry (Broxtowe) (Con): Mr Speaker, it will not have escaped your notice, and I know that it will not have escaped the Minister’s notice, that one of the most respected Members of this House, my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames), has, in condemning what has occurred in the leave campaign, gone so far as to call for a re-running of the referendum. These are serious matters. They go to the heart of government and, of course, to the heart of democracy and the trust that people must have in the democratic process. There are concerns not only about the overspend, but about the source of the money. The evidence is mounting. It is clearly there that another country—let us be honest, it is Russia—exercised its influence to undermine this country’s democracy and indeed this country’s security as it has a long history of doing. I say to the Minister that this is not a party political matter. It is nothing to do with delivering Brexit; it is about democracy. Can she give us an assurance that this Government will take these very important matters extremely seriously and act now on them?

Chloe Smith: I absolutely can give the assurance that the Government take these matters extremely seriously. That is the very point here. The very point here is that we have a precious democracy that demands our protection, and that is what we do by having an Electoral Commission—an independent regulator, that can make such investigations, publish them, expose the points of that investigation to scrutiny, and be held accountable in its turn by Parliament. Then it is for Parliament to consider whether, in the round, amendments might need to be made to the rules against which the regulator does that. That is the landscape that we are looking at here.

Tom Brake (Carshalton and Wallington) (LD): Vote Leave was a deeply dishonest campaign with deeply dishonest slogans and a cast of right-wingers who were prepared to go to any length to achieve their ideological endgame, and now we know that they cheated and broke the law. Can the Minister confirm whether the right hon. Members for Surrey Heath (Michael Gove) and for Uxbridge and South Ruislip (Boris Johnson) and others involved will be jointly liable for the Vote Leave fine? Can she also confirm that of course this strengthens immeasurably the case for there to be a final say on the deal and a chance to exit from Brexit?

Chloe Smith: No, I am not in a position to comment on individuals. I have already said that very, very clearly. What I will say again for the benefit of the Liberal Democrat party is that we will be delivering the referendum result and we do not intend to hold a second referendum.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I regret the atmosphere in which this urgent question is taking place. I have just spent nine months sitting on the Independent Commission on Referendums under University College London’s Constitution Unit looking at what is wrong with the rules on referendums, and looking specifically at financing. A member of the Opposition party also sat on that commission. We have looked at the use of public funding, spending limits and transparency, and there is a common concern that our regulation does not fit the purpose that we would like in a modern democracy. May I recommend to my hon. Friend the Minister that she reads this report cover to cover and takes on board our recommendations for new regulations and new legislation to try to improve this area, which, after all, is a very important part of our democracy these days?

Chloe Smith: I have begun to read that report and I welcome its thoughtful about how referendums fit into the rest of our election landscape. I look forward to more discussions with my right hon. Friend and her colleagues on it.

Mr Speaker: These are extremely serious matters. That said, we do need much shorter questions if we are to have a chance of accommodating some colleagues—[Interruption]—and shorter answers as well. We will have to move on in a quarter of an hour or so.

Mr David Lammy (Tottenham) (Lab): We have in our democracy clear rules so that we do not exercise, or see the exercise, of undue influence. For that reason, certainly in the last decade, we have had two elections declared void—in South Thanet and Oldham East and Saddleworth. Can the Minister confirm whether the Government can declare this referendum void on the basis of the evidence that we have been provided with by the Electoral Commission? If not, given that this was an advisory referendum by this Parliament, can she bring forward a vote in this Parliament to declare this referendum void?

Chloe Smith: No, the Government will not be bringing forward such a proposal.
Sir Desmond Swayne (New Forest West) (Con): Let the law take its course. By what factor did the Government and the other remain campaigns outspend the leave campaigns? It was 2:1, was it not?

Chloe Smith: My right hon. Friend reminds us that there are designated lead campaigners in referendums. The subject matter of this report is in part how leave campaigners interacted with other campaigners. The virtue of having this report is that it allows us to examine spending—it brings spending into the light. It is about transparency of spending, as is, of course, the rest of the apparatus of what we do to regulate elections. This is an examination of allegations rather than the whole dataset. Again, my right hon. Friend reminds us that there are people who feel that these arguments cut both ways.

Pete Wishart (Perth and North Perthshire) (SNP): A £60,000 fine is peanuts to these people. Found guilty, they could not care less and instead defiantly lash out. For these Brexiteers, and all the UK parties, our electoral laws are an optional extra and fines but a mere electoral expense. When will we get serious about our electoral laws, because no one and no political party takes them seriously? It is time to review the whole useless, ineffective system. When will the Minister do it?

Chloe Smith: I am sorry if the hon. Gentleman thinks that his political party does not take these rules seriously; we do.

David T. C. Davies (Monmouth) (Con): Will my hon. Friend confirm that the faux outrage that we are hearing today from Members from all parts of this House, some of whom have now left, is nothing to do with a breach of the rules by the leave campaign? It is to do with the fact that they lost; they are not representing the people. They lost that referendum despite the fact that they themselves overspent by millions of pounds.

Chloe Smith: I came here today to try to respond to the subject matter of the report, but also very clearly to lay on the record again that the people in this country want us to get on with delivering the result, rather than to go back over it.

Mr Ben Bradshaw (Exeter) (Lab): The Government propose legislation. The Electoral Commission has made specific recommendations to the Government about what they need to do. Will the Minister do it?

Chloe Smith: I think that the right hon. Gentleman is referring to the Electoral Commission’s earlier report on digital campaigning, which I am considering very carefully. As I said earlier, there are a number of issues to look at in the round. There are other ongoing reports and investigations such as that of the Information Commissioner, which last week produced a progress report, but not its final report. As the right hon. Gentleman knows from his experience in government, it is important to look at those things together, and that is what the Government will do.

Henry Smith (Crawley) (Con): Will my hon. Friend confirm that the Government, in the run-up to the EU membership referendum, spent over £9.25 million on a taxpayer-funded leaflet advocating that we remain members of the European Union?

Chloe Smith: It is the case that such a leaflet was produced, and that was because the Government recognise the importance of the public being informed ahead of a referendum. Again, I think that the debate—even on that leaflet—has been had. The point is that we should now get on and implement the result.

Ms Angela Eagle (Wallasey) (Lab): I feel slightly sorry for the Minister, because she has been sent to defend the indefensible. Given her complacent demeanour today and her complete lack of acknowledgement about how serious this issue is, can she tell us quite how big a scandal would have to be before she actually reacted to it appropriately?

Chloe Smith: I am sorry that the hon. Lady has felt the need to get quite so personal. I am not complacent. If she had been listening carefully, she would have heard me say that these issues are very, very serious. I am also saying that the Government respect the work of an independent regulator and do not comment on its ongoing investigations, but will wish to look in the round at the results of all the ongoing investigations.

Sir Edward Leigh (Gainsborough) (Con): Have the Government received any representations from the Labour Front Bench to rerun the referendum?

Chloe Smith: Not at the last count. I believe that there were 60-odd individuals who did want to do so, but I am not sure whether they are on or off the Front Bench at this time.

Caroline Lucas (Brighton, Pavilion) (Green): The Government’s response to electoral fraud is shockingly, obscenely complacent. In trying to give some impression that she is taking this matter seriously, could the Minister agree to three really simple things? First, the fines should be unlimited, because £20,000 is pitiful; it is a tap on the wrist. Secondly, campaigns should declare their expenditure online in real time so that they cannot overspend in this way. Thirdly, does she agree that we need a digital bill of rights so that we can clear up the data harvesting that has been taking place on an industrial scale by organisations such as Facebook?

Chloe Smith: I welcome the hon. Lady’s policy suggestions as a contribution to this point. If she will forgive me, she underlines exactly what I have been saying—that we need to look at a number of these issues in the round. For example, her last point does not at all come from the report before us today; it comes from the Information Commissioner’s work.

Simon Hoare (North Dorset) (Con): This is undoubtedly a very shoddy affair. In hindsight and on reflection, the referendum campaign—on either side of the argument—was not our finest hour in democratic activity. Would the Minister take the point about the reporting of expenditure in real time, as was mentioned by the hon. Member for Brighton, Pavilion (Caroline Lucas)? Reporting after the event leads to the sort of situation that we have at the moment. If we do not address this matter of real-time reporting, the shysters and the snake-oil salesmen who seek to undermine our democracy will have won.
Chloe Smith: I welcome that as a policy consideration that ought to be looked at in the round alongside the results of a number of ongoing investigations. I would just return to the core point, which is that we have these rules in place. It is these rules that buttress our democracy and that mean that we have an independent democracy where sanctions follow misdemeanours, and that is what the report tells us today.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): If the Minister will not talk about the specifics of this case, will she address a very simple general question? Can she envisage any level of corruption so gross that it would ever invalidate any referendum?

Chloe Smith: I am really not in a position to answer the question. The hon. Gentleman tries to tempt me with a yes or a no or a very simple question, but this is not a simple matter. There are a number of reports across a number of different investigations with a number of elements that are still ongoing. It is for that reason that I have come here and tried to be very clear, in a way I hope is understood by parliamentarians, that I cannot prejudge the investigations of independent bodies.

Chloe Smith: I am really not in a position to answer that. Can she envisage any level of corruption so gross that it would ever invalidate any referendum?

Several hon. Members rose—

Mr Speaker: Order. Please resume your seat, Minister. I say two things. First, Members should not stand up while an answer is being given; that is not the right way in which to operate in the Chamber. Secondly, may I very politely say that the Minister could help herself by giving somewhat pithier answers? It would be most unfortunate if people thought that long answers were preventing other people from having the chance to ask a question. A short answer, not a disquisition, is required. Minister, we are grateful.

Chloe Smith: I shall leave that one there and wait for the next question.

Alison McGovern (Wirral South) (Lab): The Minister’s own words are that this cuts both ways, but I do not think that that is the case. The Electoral Commission has been absolutely clear. It did all it could, but it lacks power to do more. Will the Minister correct herself? This does not cut both ways, does it? As my hon. Friend the Member for Wigan (Lisa Nandy) said, this is one of the worst, most despicable abuses of electoral law that we have seen in the lifetime of this House.

Chloe Smith: The hon. Lady is quite seriously misrepresenting my words. What I have said today is that these are very serious matters. I have agreed with all right hon. and hon. Members around the House who say that this matters and that it is serious. That is precisely my point. The hon. Lady went on to say that this matter ought to be the subject of a police investigation. It is. Individuals from this investigation are also being investigated by the police. The hon. Lady also said that this is—

Neil Gray (Airdrie and Shotts) (SNP): First, Scottish Tory dark money; now, the Electoral Commission showing the leave campaign broke the law. We have these rules for a reason—to stop people buying our democracy—and yet the Minister appears complacent about that. So what confidence can our constituents have not only in the referendum result, but in the former and current Government Ministers who were involved in the running of Vote Leave?

Chloe Smith: I will say it again: the issues in the report are extremely serious. It is right that they have been investigated. The Government are not going to comment on individuals or organisations that are subject to ongoing investigations. We hope that those investigations will be speedily concluded. We believe that that is a way to give further confidence to our constituents in this referendum and in other elections.

Julie Elliott (Sunderland Central) (Lab): In the light of what the Electoral Commission has said today—and, indeed, the evidence that has been given to the Digital, Culture, Media and Sport Committee, on which I serve, that has clearly proved that this referendum was won by cheating—will the Minister do what the Government should be doing, call this referendum null and void, and protect British democracy?
Chloe Smith: No, we will not be re-running the referendum; we will be continuing to deliver its result. However, the hon. Lady reminds us that her Select Committee—an organ of this Parliament—is also conducting an ongoing investigation into fake news. There is another part of the larger set of issues that I am referring to that I want us to be able to look at together.

Liam Byrne (Birmingham, Hodge Hill) (Lab): This House is the guardian of free and fair elections. It is now clear that this referendum result was corrupt because it was bought, quite possibly with Russian money. Which Minister will now ask the Director of Public Prosecutions to consider a joint enterprise prosecution so that it is not just the staff of these campaigns that are prosecuted but the governing minds as well?

Chloe Smith: The police have already received references from this investigation, and I think that stands for itself.

Ms Karen Buck (Westminster North) (Lab): Does the Minister understand that the anger is because we are not discussing a parish council election or a local authority by-election, but a matter that goes to the heart of the most important political and constitutional arrangement that has happened in most of our political lifetimes? Does she recognise that the scale of the fines being imposed is derisory; not just in terms of the overspend but the size of the prize that the leave campaign cheated to obtain?

Chloe Smith: I entirely understand the points that Members have come to the House today to make. I am simply acknowledging that there are broader issues than only those in this report that need to be looked at together to continue to maintain confidence in our democracy. For the record, though, I think that any election, parish council or otherwise, is important and deserves its security.

Emma Reynolds (Wolverhampton North East) (Lab): Today, Darren Grimes of BeLeave has accused the Electoral Commission on Twitter of putting him through hell by seeking “to justify this by saying that I failed a box ticking exercise”. Can the Minister confirm that what has happened here is much, much more serious than that? The Electoral Commission has found that Vote Leave broke the law, that it cheated during this referendum, and that it had undermined our democracy. What are the Government now going to do about that?

Chloe Smith: Certainly, what is in this report today is very, very serious. Consequences follow for those organisations that are named in it.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The issue of the lack of transparency on social media political advertising is a problem for every democratic country. In the US, there are moves to prohibit anonymous advertising whereby social media platforms have to publish who pays for the adverts. Is this something that the British Government are considering?

Chloe Smith: Yes, it is. In response to a report by the Committee on Standards in Public Life, we will shortly bring forward a consultation on ensuring that there are imprints on digital campaigning material just as much as there would be on paper. I think that is important.

Stella Creasy (Walthamstow) (Lab/Co-op): The Minister confirms that there is now an ongoing police investigation as a result of this report. Does she not therefore think it is right that all those who could potentially be part of that police investigation recuse themselves from Government until it is concluded? Surely law-makers should not be law-breakers.

Chloe Smith: It is not for me to confirm a police investigation—it is for the Electoral Commission. It is not for me to comment on what ought to be in a police investigation—it is for the independent regulator. I think that distinction is quite important.

Several hon. Members rose—

Mr Speaker: Order. I am very sorry to disappoint remaining colleagues, but the House is heavily constrained for time. Perhaps I can give advance notice, in respect of the statement that is about to be delivered, that the exchanges on it will need to be extremely brief. We have a live debate on the Trade Bill, and the votes on the first group of amendments have to be at 3.30 pm, so extended exchanges on the statement will not happen today.
Combat Air Strategy

1.24 pm

The Secretary of State for Defence (Gavin Williamson): On 21 February, I informed the House that the Ministry of Defence would produce a strategy for the combat air sector. Development of the strategy has drawn heavily on expertise from across defence, wider government, academia, think-tanks, industry, and international partners. Defence of the United Kingdom, protection of our people and our contribution to securing the rules-based international order requires us to deter adversaries by having the capability and the will to use decisive force to deliver our defence, foreign policy and economic objectives.

The threats we face are evolving and increasing ever more rapidly. World-class combat air capability allows us to maintain control of the air both at home and around the world. The United Kingdom’s combat air sector provides the capability to underpin our ability to keep Britain safe and act around the globe. It also makes a significant contribution to the United Kingdom’s economy and to our international influence. The UK is a global leader in combat air, with cutting-edge military capability underpinned by world-class industrial and technical know-how. That is why we are creating Tempest.

The UK combat air sector has an annual turnover of over £6 billion and directly supports over 18,000 highly skilled jobs across the UK. It supports over 100,000 jobs in the supply chain and more than 2,000 companies across the UK. The UK is the world’s second-largest exporter of defence equipment, with defence aerospace representing over 80% of the value of these exports. This is a position that I and, I am sure, the whole House wish to protect going forward.

We are at the heart of a number of key international programmes, including F-35—the largest defence programme in the world. Our position was secured through world-leading intellectual property, understanding, innovation and industrial capability. As we leave the European Union, we will continue to seek partnerships across Europe and beyond to deliver UK, European and global security. To do this, we must retain access to our proud industrial base. The UK’s combat air sector is therefore critical to the UK’s prosperity and to our ability to deliver the best capability to the frontline to deter and act against the threats that we face.

The future of the UK’s combat air sector, however, is not assured. There has been a gap between major combat air development programmes, and a clear indication of future UK military requirements is required to stimulate and deliver the research and development investment that is needed. The strategy defines a clear way ahead to preserve our national advantage and maintain choice in how it is delivered.

We will work with wider government, industry and international partners to deliver the strategy by taking the following steps. We will invest in upgrading Typhoon to maintain its world-class capabilities for the coming decades. The MOD will provide investment in key UK design and engineering skills as a means to generate UK intellectual property by the implementation of the future combat air system technology initiative. The initiative was established by the 2015 strategic defence and security review and builds on recent UK technology investment. We will work together to achieve a more open and sustainable industrial base that invests in its own future, partners internationally and breaks the cycle of increasing cost and length of time to introduce new fighter aircraft.

The UK will work quickly and openly with allies to build on or establish new partnerships to define future requirements and how they can be delivered in a mutually beneficial manner. By preserving our ability to maintain operational advantage and freedom of action, the strategy will ensure we have greater choice in how we deliver future capabilities and are able to maximise the economic and strategic benefits of future combat air acquisition programmes.

In the 100th year of the Royal Air Force, this strategy demonstrates that we can achieve anything. Britain is a world leader not only with our armed forces but in the fighting machines we can produce. The strategy demonstrates that Britain will retain its world leadership in this sector, by having the greatest fighter aircraft of any nation in the world. I commend this statement to the House.

1.30 pm

Nia Griffith (Llanelli) (Lab): I thank the Secretary of State for his statement and for advance sight of it. May I pay tribute to the former Defence Procurement Minister, the hon. Member for Aberconwy (Guto Bebb), who was forced to resign last night for supporting the Prime Minister’s position on Brexit?

Our aerospace and defence sectors are truly world leading and are vital to our security and national prosperity. We welcome the publication of the combat air strategy, but might it not have been better to publish an overarching defence industrial strategy to give the wider industry the certainty it requires? If the Secretary of State’s Department will not do that, will it publish a land strategy sometime in the near future?

A key aspect of the combat air strategy is the creation of a project to consider how to deliver next-generation capability. I am not quite sure how the Government adopted the name “Team Tempest”, but it seems apt this week. The Secretary of State has been clear that the future approach hinges on international collaboration, so what discussion has he had with allies about this project? Has he considered the impact that partnering with non-NATO nations could have on our interoperability?

This strategy has been published at a time of great uncertainty in the aerospace industry about the impact of Brexit. Does the Secretary of State agree with the assessment of the industry, the trade body ADS and Members from across the House that the UK must be in a customs union to guarantee the industry’s future success?

The Secretary of State said that he wants to see the Tempest fly alongside the Typhoons and the F-35s. Will he confirm how many F-35s the Government plan to buy, in what timeframe and which variant they will be?

Rumours abound that the UK’s future airborne warning and control system capability will be gifted to a company without competition, just as the mechanised infantry vehicle was. Does the Secretary of State agree that that would be a hypocritical approach, when his defence industrial policy refresh emphasised the importance of competition? Can he confirm that there will be an open competition for the UK’s future AWACS capability?
Members from across the House, our industrial partners and our allies are all eagerly awaiting the publication of the modernising defence programme. We were told that we would get the headlines before last week's NATO summit, and then we were told that it would be out before the summer recess. In the light of the Government's proposed new parliamentary timetable, will it be tomorrow or Thursday?

**Gavin Williamson:** I, too, pay tribute to my hon. Friend the Member for Aberconwy (Guto Bebb), who served with great distinction as Defence Procurement Minister and was instrumental in securing the order of the future frigates programme from Australia, which benefits many people and adds to the prosperity of this nation.

The hon. Lady proposes a defence industrial strategy. We have looked at a national shipbuilding strategy and at combat air, and we will look at the concept of developing a land strategy. We want to ensure that whatever we do in defence adds to the prosperity of our nation. That is why we welcome the report by my hon. Friend the Member for Ludlow (Mr Dunne), which highlights the importance of defence in creating jobs and economic growth.

We should look not just to Europe in forming partnerships with other nations. For far too long, we have been bound by the thought that we can look only to other European Union nations. Now is the time to look to the whole globe, see what other nations we can partner with and build strong new alliances. We have strong military links and deep connections with many nations. We are confident that, because of our world-leading position in combat air, many nations will want to work with us. I do not believe that we should be in the customs union, and that is the Government’s policy. I do not believe for one minute that being outside the customs union will in any way restrict our ability to deliver Tempest.

Finally, on the modernising defence programme, as I said just the other week, we intend to update the House before the recess.

**Dr Julian Lewis** (New Forest East) (Con): The combat air strategy signals the Secretary of State’s commitment to the importance of conventional armed forces in the future. How is his combat ground strategy going in the light of the Government’s proposed new parliamentary timetable, will it be tomorrow or Thursday?

**Gavin Williamson:** I hope to avoid the many problems relating to currency projections by ensuring this new fighter is built in Britain. It is a great advantage to have the pound sterling. How do we bring the benefits to Scotland and every other part of the United Kingdom? Some 2,000 companies across the United Kingdom benefit from combat air. We are happy to have discussions with the devolved institutions about how to encourage them and work with them to build their industrial base for combat air.

This is a great opportunity for the whole of the UK. We are a world leader in this sector: other countries turn to us for leadership. That is what we are providing; that is what we will deliver, and we will provide the jobs and prosperity that come with it.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): I very much welcome this statement, in which the Secretary of State mentioned the Typhoon. From memory, we are contracted to buy about 160 across three tranches. When the older tranche 1 aircraft retire, rather than sell them off, will he consider keeping them as a war reserve to provide mass for our Royal Air Force if we are ever involved in a peer-on-peer conflict?

**Gavin Williamson:** My right hon. Friend actually makes a very valid point about our ability to maintain the mass of aircraft. I want to pay tribute to Sir Stephen Hillier, the Chief of the Air Staff, who has driven forward so much of the Tempest project, as well as driving forward the utility of the Typhoon aircraft. We will certainly be looking at that to make sure we maintain the utility and mass of the Typhoon force.

**Ruth Smeeth** (Stoke-on-Trent North) (Lab): On 17 November 2017, we had a debate in the House about the need for a defence aerospace industrial strategy. This combat air strategy is one step forward, but it does not talk about sovereign skills in terms of the need for a training platform. May we have a serious conversation about what is going to happen at Brough?

**Gavin Williamson:** We listened very carefully to the hon. Lady in calling for a combat air strategy, and we have answered by providing one. We are aiming to look at all the different aspects of how we actually provide all the different areas of combat air. On fighter jets, Tempest is obviously one of the most important and significant
investments that we will be making, but we will look at all the different aspects, along with our industrial partners, BAE Systems.

Leo Docherty (Aldershot) (Con): I congratulate the Secretary of State on the statement, and I thank him for choosing to make the announcement yesterday at the opening day of the Farnborough international air show. From what he has seen at Farnborough, does the Secretary of State agree with me that Farnborough is the beating heart of the British aerospace defence and aviation industry, and that it will surely play a leading role in turning the vision of a combat air strategy into a reality?

Gavin Williamson: My hon. Friend very much represents the beating heart of the aviation industry. In the 110 years since the first manned flights took off from Farnborough and the 70 years since the creation of the Farnborough air show, Farnborough has really been at its heart. What has been so useful over the past few days has been engaging with international partners, and the fact is that they are so keen to work with the Royal Air Force and our industrial base to start making this project a reality.

Graham P. Jones (Hyndburn) (Lab): I welcome the combat air strategy, but does the Secretary of State agree with my constituent Andrew Moxham, who wrote to me yesterday to ask how on earth the UK alone can afford this project? This can only be delivered as part of a collaboration—preferably a European collaboration, as with the Typhoon—and it will also require export orders. Britain alone cannot afford this project.

Gavin Williamson: I remember that in one of the first questions I was asked as Secretary of State for Defence, the hon. Gentleman demanded a combat air strategy and called for this type of investment and leadership, but when we actually deliver it, he starts saying that we need to be looking to others. We can lead: we have always led in this field, and we have the world’s greatest technology. To show such leaderships means that other nations will come and be part of the project, and that is part of the dialogue we are having.

Mr Philip Dunne (Ludlow) (Con): May I add my congratulations to my right hon. Friend for driving the combat air strategy through the Department, alongside Air Command? It is a very exciting moment to be at the outset of a new combat air programme, but will he elaborate on what he thinks it will do for the defence industrial landscape of this country for generations to come?

Gavin Williamson: Had we not taken the decision to do this, as we have done, we would have been putting in jeopardy many tens of thousands of jobs not just in the north-west, but right across the country. That is why we have to make this investment and why we have to show world leadership. We must continue to invest in the technology, the science and the skills in order to keep that world leadership role and to continue to benefit from the exports and the wealth that this industry creates.

Mrs Madeleine Moon (Bridgend) (Lab): I welcome the statement and the combat air strategy, but I say to the Secretary of State that it is deeply worrying how often we have gone to America with our fighter. Will we be looking to British industry to provide the AWACS aircraft, because these advance warning aircraft should be British-made and British-built?

Gavin Williamson: We always look at how we can do the very best for delivering for British industry, and at how to make sure that we have the capabilities that the Royal Air Force, the Royal Navy and the British Army need to do their job.

Alan Mak (Havant) (Con): Havant-based Lockheed Martin has worked successfully with my right hon. Friend’s Department to deliver the new F-35 jet. Will he ensure that the new combat air strategy benefits the south coast, and will he come and join me in meeting those involved in the F-35 programme?

Gavin Williamson: Over the past few days, I have had the privilege of having discussions with the chief executive of Lockheed Martin. Lockheed Martin is an important industrial partner for us, providing a great number of jobs and a great deal of investment in the United Kingdom. I would certainly be happy to join my hon. Friend on such a visit.

Alex Chalk (Cheltenham) (Con): I warmly welcome my right hon. Friend’s commitment to Britain’s future air defence, but will he say a little about affordability? It is important that we have cutting-edge units, but it is equally important that we have sufficient room in the budget to buy enough of them.

Gavin Williamson: Absolutely. We need to be able to build mass into our air force, as well as exquisite technology. One of the key changes we want is rapidly to reduce the amount of time it takes to develop the new airframe. With the F-35, we saw that go on for far too long, and we need to reduce that period. I would like to see Tempest flying in the first half of the next decade, and we should bring forward the technology and give this project the inspiration and the drive to make it a reality as quickly as possible.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): France and Germany are already co-operating on a sixth-generation fighter, so although this strategy is welcome, we are playing catch-up. Will the Secretary of State set out whether this will be an allied, NATO, European or transatlantic project, and how will workshare benefit aerospace businesses, including those in Plymouth?

Gavin Williamson: This is going to be a global project. One thing I would say is that Britain is a nation that actually has fifth-generation fighters and has the industrial expertise to develop new generation fighters. France or Germany do not have that expertise; we do, and we have that leadership role. We do not want to limit our sights just to European partners, but to open this up to the globe, working with partners with whom we have not worked in the past and bringing the benefits to our allies that are global allies.

Several hon. Members rose—
Mr Speaker: Order. The hon. Member for Nuneaton (Mr Jones) was looking uncontrollably excited, to the extent that I was mildly worried about his circumstances, but we must hear from the fellow.

Mr Marcus Jones (Nuneaton) (Con): It is very good of you to think of my welfare, Mr Speaker.

I welcome my right hon. Friend’s announcement. Many of my constituents work in the defence aerospace sector. Will he say how this fits in with the Government’s industrial strategy, and what does it mean for skills and for securing the jobs that currently exist and for creating new jobs in our great defence sector?

Gavin Williamson: This is about securing those jobs and those skills not just for the next decade, but for the decade from 2040 onwards. My hon. Friend makes an important point, because this is part of our wider industrial strategy. Defence leads: for every £1 that is invested in defence, £4 is generated. We spend 2% of our GDP on defence, yet it accounts for 8% of our economy. It is vital for the prosperity of Britain to continue to invest in defence.

Wes Streeting (Ilford North) (Lab): The UK’s defence aerospace industry is vital for the future of our economy, providing higher-quality, high-skilled jobs up and down the country. What does it say about this Government’s ability to protect those jobs and that industry when one of the Secretary of State’s own Ministers resigns over the Government’s shambolic handling of Brexit negotiations? What are the implications of that shambolic handling not just for his Department and the industries it is supposed to champion, but for every other sector of our economy?

Gavin Williamson: Britain has been a world leader in this sector, and we continue to be a world leader in this sector. We continue to deliver the jobs and prosperity that are absolutely vital and on which so many of our constituents depend. That is what Tempest is about, and that is what we are delivering. We are going to make sure that the Royal Air Force has the finest, the greatest and the most technologically advanced fighter jet to ensure Britain continues to remain safe.

Eddie Hughes (Walsall North) (Con): I understand that directed energy weapons use concentrated bursts of microwave or particle beam energy to inflict damage. Does the Secretary of State agree that the intention to equip the Tempest with that sort of weaponry signals our intent to be at the forefront of aircraft technology for some considerable time?

Gavin Williamson: What is absolutely critical is that we embrace these new technologies and we lead the world in using these technologies on the new platforms that we introduce for the RAF and the other services. By leading in terms of the defence of the UK, we end up leading the world, and that creates new opportunities for British industry to export. This is a massive vote of confidence in Britain, by industry—by Leonardo, BAE Systems, Rolls-Royce and MBDA. They are saying that they want to invest in Britain, British skills and British technology because they believe in this country.

Mr Jim Cunningham (Coventry South) (Lab): I have worked in the defence industry. In fact, I worked at Rolls-Royce and a lot of people there probably welcome this statement. So that we can all welcome the statement, will the Secretary of State tell us who will fund it, how it will be funded and who are these new partners he is thinking about outside of Europe? If he is thinking about the United States, I am sure that many people in the defence industry will tell him that we always come off second best when we are up against them.

Gavin Williamson: We are looking at a range of different international partners. We see this as an opportunity to offer something that is different and alternative to the offerings that the United States has traditionally brought forward. We see this as an opportunity to collaborate with new nations that have not usually been involved in such collaborations before. The initial indications are exceptionally positive.

Julian Knight (Solihull) (Con): This is a very heartening announcement, especially given the recent centenary of our fantastic Royal Air Force. My right hon. Friend mentioned the potential for lucrative defence sales downstream from this announcement. When we leave the EU, what partners does he envisage us having as, in trading terms, we spread our wings?

Gavin Williamson: My hon. Friend makes an important point: we do need to spread our wings. Before the recent order placed by Australia for future frigates—the new Hunter class Type 26 frigates—Opposition Members said that we would not be able to sell ships to any other nation, and we have proved them wrong. Naysayers on the Opposition Front Bench constantly want to talk down Britain: we want to talk up Britain. Industry, and not just British industry, wants to invest in our technology and our capabilities.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): It would be churlish and mean-spirited not to acknowledge that there is much that is very good in the Secretary of State’s statement. However, does he agree that a no-deal Brexit would hamper his well-intentioned idea of working with European partners?

Gavin Williamson: We are seeing a massive vote of confidence in British technology, in the Royal Air Force and in our leadership in the world. Four major companies—not just British companies—will invest in this technology and I have no doubt that it will, in the expression used by my hon. Friend the Member for Solihull (Julian Knight), spread its wings and be a great success.
Points of Order

1.53 pm

Sir Nicholas Soames (Mid Sussex) (Con): On a point of order, Mr Speaker. The Government have said, in a more than usually bovine announcement, that they intend to adjourn the House on Thursday. You are the guardian of the rights of Back Benchers. This decision will bring opprobrium on the whole House. There is important Back-Bench business on Monday and Tuesday and questions on local government and health and social care. What advice can you give the Leader of the House to rescind this idiotic and bad new announcement?

Mr Speaker: I am grateful to the right hon. Gentleman, who expresses himself with his characteristic clarity but—if I may say so—uncharacteristic force, which the House will have noted. Needless to say, I take what he said and the passion he feels about the matter—as someone who has served in the House without interruption for 35 years—extremely seriously. Standing Order No. 25 provides that motions for the Adjournment of the House for a specified period and moved by a Minister are put forthwith—that is to say, without debate. It would have been possible for the Government to table a Business of the House motion overriding the Standing Order, but they have not done so.

If a Minister moves motion 13 on the Order Paper this evening, the Chair will be obliged to put the question without debate. If the Chair’s opinion on the voices is challenged, a Division would be deferred until tomorrow. As ever, it would be up to Members whether to vote for or against the proposition. Salvation lies in Members’ hands.

I add, merely by way of information and in the name of transparency, that no indication of this intention on the part of the Government was communicated to me in advance. I am not complaining about that; I simply want to make it clear to people who might think, “Oh, the Speaker must have been aware of and in on this”, that that was not and is not the case.

Sir Christopher Chope (Christchurch) (Con): Further to that point of order, Mr Speaker. You may be aware, and colleagues certainly will, that a strong rumour is going round to the effect that the Government will not move motion 13 this evening. Surely it would be courteous for the Government to indicate now whether it is their intention to move the motion or that they have responded to the concerns expressed and will withdraw it. Why can we not know that now, rather than it being left until later?

Mr Speaker: I tend to take the view that clarity and the resolution of uncertainty are always desirable. I do not know whether a decision on the matter has been made. What I would say to the hon. Gentleman is that if a decision has been made, it should be communicated to the House first, rather than to the media. If a decision has not been made, it is very much to be hoped that it soon will be.

Bambos Charalambous (Enfield, Southgate) (Lab): On a point of order, Mr Speaker. On Thursday, during the Backbench debate on forced adoption, I got some facts wrong in the story of my constituent, Ms Jean Robertson Molloy. She was in fact living in New Zealand in 1963, not the United Kingdom, when she became pregnant and went to live in Australia. There she had a baby daughter which she reluctantly gave up for adoption, following advice and pressure from others. Can you advise on how I may set the record straight?

Mr Speaker: The hon. Gentleman has achieved his own salvation. He has courteously and properly done so. He has put the facts on the record, and I thank him.

Graham P. Jones (Hyndburn) (Lab): On a point of order, Mr Speaker. On your advice about a deferred Division, is there any clarity on when the result would be announced?

Mr Speaker: It would be announced as soon as possible after the conclusion of the vote. It is reasonable to suppose, if there were a deferred Division tomorrow and on the assumption that the ballot closed at 2 pm, that we would have an announcement of the result pretty shortly thereafter. I must emphasise that we do not yet know whether there will be such a deferred Division, but a result would be declared shortly thereafter. If the hon. Gentleman is worried that by 4.5 or 6 o’clock tomorrow he still would not know the answer, his brow need no longer be furrowed on that account.

Nick Boles (Grantham and Stamford) (Con): Further to that point of order, Mr Speaker. The Government are currently engaged in the most important set of negotiations in this country’s peacetime. It seems to me extraordinary that they should want to bring Parliament into disrepute by sending us scuttling back to our constituencies and suspending our deliberations several days early. You have explained that this is something that they can properly propose and that should that motion be opposed this evening, there would be a vote. Is there any way that we can secure a debate so that we, as Members of Parliament, can consider properly whether this is a measure that we would want to support?

Mr Speaker: I am grateful to the hon. Gentleman. Off the top of my head, I am not aware that there is a means by which to secure a debate, other than Members deciding that they regard consideration of the matter as an emergency. If they regard it as a matter of emergency, there is a means by which people can seek to bring such a matter to the attention of the House using the Standing Order with which the hon. Gentleman, who is both knowledgeable and perspicacious, will himself be closely familiar. I offer no guarantee that it would be regarded as an emergency matter, but he very specifically asked whether there were any other means by which to secure a debate. That is the only one, given the time constraints and the proximity to recess, that occurs to me. There is always scope for urgent questions, but that is not the same as having a debate. I hope that that is as helpful an answer as the facts allow me to provide.

Grahame Morris (Easington) (Lab): On a point of order, Mr Speaker. I received a reply from the Minister for Disabled People, Health and Work, the hon. Member for Truro and Falmouth (Sarah Newton), to parliamentary question 156404, which confirmed that an automatic insulin pump could be considered an aid in relation to the awarding of points for personal independence payments.
However, when I raised the Minister’s answer with Atos, the independent assessment service, Barrie McKillop, the Atos clinical director, stated that its stance is correct. He said:

“as it stands, I feel that you have been given an incorrect response by DWP”.

Mr Speaker, there appears to be a discrepancy between what the Minister is saying and the response from the organisation responsible for implementing the policy. The question of who is correct could have serious implications for a constituent of mine, who I believe is being unfairly denied access to PIP. Who actually has the final say on what the policy is in practice?

Mr Speaker: I thank the hon. Gentleman for his point of order. All Members of this House, including Ministers, are responsible for the veracity of what they say in and to it. Insofar as the hon. Gentleman is concerned that he should have redress in respect of this matter, it seems to me there are, in the approach to the recess, only two avenues open to him. One is for him to table a written question. He will be aware of his entitlement to put named day questions, that is to say questions that receive a more urgent response. The other option is for him to seek to persuade me that the matter warrants an urgent question on the Floor of the House between now and when the House goes into recess, in which he would have an opportunity directly to engage with a departmental Minister on this matter.

Mr Laurence Robertson (Tewkesbury) (Con): On a point of order of which I gave you notice some hours ago, Mr Speaker. In 1975, Short money was introduced for Opposition parties to carry out their parliamentary duties. In 2006, a change was made and representative money was introduced for Members who do not take their seats in this House and therefore do not partake in the work of this House. I understand that one particular party, namely Sinn Féin, has claimed over £1 million since that date to provide them with expenses for a job they patently do not do. Mr Speaker, I wonder what your view on that is and whether you could advise me on how that may be challenged.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): On a point of order, Mr Speaker. Following on from the point raised by the hon. Member for Grantham and Stamford (Nick Boles) on the recess, this is meant to be the UK Parliament but it slavishly follows the English school holidays in its recesses. Do you know of any people so cruel in all of Europe, Mr Speaker, who keep their children in school until the middle of July, a month after midsummer? Indeed, should we not follow the Scottish example and have earlier recesses? I think the temperature in July is affecting Government minds.

Mr Speaker: That is a debatable matter, but the point of view the hon. Gentleman expresses is one that he is known to adhere to and which he loses few opportunities to express, as the cheeky smile on his face readily testifies he knows.

If there are no further points of order and the appetite has been satisfied at least for now, we will come to the 10-minute rule motion for which the hon. Member for Clacton (Giles Watling) has been so patiently waiting. I hope and anticipate a thespian performance by the hon. Gentleman.
2.6 pm

Giles Watling (Clacton) (Con): I beg to move,

That leave be given to bring in a Bill to prohibit the use of certain anti-loitering devices without a licence; and for connected purposes.

In introducing this Bill, I would like to make it clear that I am seeking to regulate the use of sonic anti-loitering devices, more commonly known as mosquito repellors, rather than ban their use entirely. As colleagues may know, these devices, which have also been referred to as anti-teenager alarms, teenager repellors or ultrasonic teenage deterrents, make a pulsing sound, which I am told sounds something like an alarm buzzing in one’s ears. My daughters tell me it is like a prolonged beep, akin to tinnitus. I also understand that this sound, which for the technically minded emanates at 17 kHz or less, can, according to the manufacturer, only be heard by people under the age of about 25. It is apparently exceedingly annoying after a short period of time—just like listening to certain Members of this House. [Laughter.] There are no firm figures for how many of these devices there are nationally, although the manufacturer claims to have sold thousands.

These devices are as widespread as they are ingenious, but they concern me for several reasons. First, in 2010, an investigation by the Council of Europe found that this device was “degrading and discriminatory” to youngsters and should be banned because it “violates legislation prohibiting torture”.

Secondly, I am uneasy about any device that willingly markets itself as a teenager repellor. Surely, we should never seek to repel our young people. They, as Whitney Houston said, are our future. Youth unemployment is at its lowest level since 2010, with 43,000 fewer young people unemployed in the first quarter of this year. Teenagers in England are now more likely to go to university than ever before. People aged 16 to 24 also accounted for 54% of apprenticeship starts in 2016-17, meaning that young people are currently responsible for around 265,000 apprenticeship starts per year.

Given those statistics, I would ask why we would ever want to repel or discriminate against our young people. On the contrary, the contributions of young people should be celebrated and cherished. Above all, we should never discriminate against anyone, let alone our young people. Yet that is what we are doing with these devices.

Of course, some young people are involved in antisocial behaviour, and I do accept that antisocial behaviour is a problem. This problem has impacted on my local area. There was an example in Walton-on-the-Naze recently when several beach huts were razed to the ground—the beach huts contained explosive canisters. This attack was not fair on residents, beach hut owners or the emergency services who had to deal with this dangerous incident, so I fully condemn this antisocial behaviour, as I would condemn it anywhere else. However, while antisocial behaviour is indeed a problem locally and nationally, I do not believe that these devices are an effective solution, as they simply move perpetrators to a different location while inadvertently targeting young people who may not be doing anything wrong in the first place. Not only are these devices discriminatory, as I mentioned, but they do not deal with the issue of antisocial behaviour, because they simply move it to other areas. That is my second concern about the devices.

My third concern is that these devices can be heard by people who are older than 25, because people as old as 40 can detect sound at frequencies up to 18 kHz. At the start of my speech, I mentioned that mosquito devices operate at 17 kHz, which demonstrates that the manufacturer’s assertion that the devices can be heard only by young people is clearly incorrect. That relates to my fourth concern, which stems from the work of Professor Timothy Leighton of the Institute of Sound and Vibration Research. He concluded that the people who use these devices neglect: the effect on very young children, babies, and animals; the effect on children with pre-existing conditions that make them especially sensitive, such as autism; the effects, both mental and physical, on children who cannot avoid long-term exposure, because of where they live or the school to which they go; and the lack of research to understand the potential effects of these sounds on individuals who cannot hear them.

Professor Leighton’s work therefore suggests that the effects of these devices are not properly understood. That is concerning given that 40% of young people regularly come across them, and 41% of young respondents to a Scottish survey experienced health effects or discomfort after encountering a device. According to those Scottish respondents, that included headaches or migraines, ear problems, tinnitus, dizziness, nausea and anxiety or panic. We have not even touched upon the potential effect on wildlife and animal habitats, or the fact that in Ireland, Dublin City Council has just removed these devices from all their buildings, because their use constitutes an assault under Irish law. Consequently, any use of a mosquito device in Ireland will now be fully investigated by the police.

What is more, and is perhaps most interesting, is that 75% of young people said that they would just put up with the irritating noise and go where they want, when they want, and do what they want. There we have my fourth and final concern: not only do these devices discriminate, but we do not fully understand their effect, and there is a suggestion that they may cause health problems even in people who cannot hear them. In addition, the devices are not even successful in preventing antisocial behaviour, since they do not necessarily stop those intending to do harm from entering a certain public space. Consequently, we are excluding innocent young people from public space for no reason at all. That is what we are doing: we are excluding them from railway and bus stations, shops, schools, and spaces in their town centres.

I am not going to argue that the use of these devices should be better regulated just because they are ineffective, but I will argue that their use should be better regulated because they are ineffective, discriminatory and potentially hazardous to health. On the other hand, I believe that in certain circumstances these devices could legitimately be used, such as for warehouses, business premises, railway lines, industrial estates and electricity pylons—places where nobody should be in the first place. If the owners of such locations wish to use these devices, they should be able to do so, but they must be used responsibly.
That brings me on to the proposals contained in the Bill. It will make the use of mosquito devices illegal if an adequate licence has not been obtained. These licences will be administered by the relevant local authority, which will undertake the necessary due diligence and determine whether there is a public need and a guarantee of public safety before any of these devices are installed anywhere. The Bill will also ensure that local authorities take account of people who may be inadvertently affected by these devices, such as residents who have no say when their neighbour puts one of them up. To illustrate that point further, I heard only this morning about a family in Devon who are living through hell because a mosquito device has been installed by their neighbour. There are reports that the children from this family have been hospitalised and left housebound.

These devices need to be used responsibly. They need to be regulated, and that is what my Bill will do. Moreover, the Bill will introduce a quicker resolution mechanism for noise complaints associated with these devices. Currently, the only method of redress is to hope for a co-operative neighbour or to complain to the local environmental health office, but this may not produce the desired results quickly, or at all. I do not believe that it is fair for members of the public to be exposed to these devices without adequate control.

Some would argue that as a Conservative, I should be against unnecessary regulation, and indeed I am, but this regulation is not unnecessary. The regulation of these devices is firmly in the public interest, and I hope that colleagues will agree with me that this Bill should be regulated, and that is what my Bill will do.

Some would argue that as a Conservative, I should be against unnecessary regulation, and indeed I am, but this regulation is not unnecessary. The regulation of these devices is firmly in the public interest, and I hope that colleagues will agree with me that this Bill should be regulated, and that is what my Bill will do.

**Trade Bill (Programme) (No. 3)**

*Motion made, and Question proposed.*

That the Order of 9 January 2018 (Trade Bill (Programme)), as amended on 17 January 2018, (Programme)) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.

2. Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.

3. The proceedings (so far as not previously concluded) shall be brought to a conclusion at the times specified in the second column of the Table.

<table>
<thead>
<tr>
<th>Proceedings</th>
<th>Time for conclusion of proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Clauses, new Schedules and amendments relating to scrutiny of proposed international trade agreements, or to scrutiny of the making of regulations</td>
<td>3.30 pm on the day on which proceedings on Consideration are commenced</td>
</tr>
<tr>
<td>New clauses, new Schedules and amendments relating to devolution</td>
<td>5.00 pm on that day</td>
</tr>
<tr>
<td>New clauses, new Schedules and amendments relating to the Trade Remedies Authority; remaining new clauses, new Schedules and amendments; remaining proceedings on Consideration</td>
<td>6.00 pm on that day</td>
</tr>
</tbody>
</table>

(4) Any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion at 6.00 pm on that day.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00 pm on that day.—(George Hollingbery.)

Mr Speaker: I welcome the Minister for Trade Policy, the hon. Member for Meon Valley (George Hollingbery), to the Front Bench.

Mr Kenneth Clarke (Rushcliffe) (Con) rose—

Mr Speaker: There is no indication of anybody else wishing to speak. I call Mr Kenneth Clarke.

2.17 pm

Mr Kenneth Clarke: I realise that the convention has arisen recently that these programme motions are put forward and go through on the nod, with no intervention by the Opposition, so I wish briefly to register my opposition to these extraordinarily stringent timetable motions, which are becoming the custom. With respect, I think that today’s timetable motion is almost as absurd as yesterday’s, when, as we all saw, an enormous number of historic issues were being debated with people being given a two-minute limit on their speeches, if they were fortunate enough to be drawn.

Today, we have another important Bill and the timetable is extremely stringent. It does not even allocate a number of hours to each section of the Bill; it just sets a time so that nobody can be late for dinner. The result is that the important amendments—including, for example, that tabled by my right hon. Friend the Member for Broxtowe (Anna Soubry) on the single market—have to be fitted
into an hour between 5 o’clock and 6 o’clock, or as much of that hour as is left after any Divisions have taken place. It is grouped with a huge number of other significant policy amendments, and I really think someone must protest about this.

It is not that long ago—I am not reminiscing as an old veteran; we do not have to go back much more than about 10 or 15 years—that this House was much more powerful in holding Governments of all kinds to account, and time was one of its principal weapons. We had fewer votes across parties and against Governments, but we had the ability in unguillotined Bills to use time, which obliged the Government, who wanted their business, to come back and make responses. The Eurosceptics and the Maastricht rebels made brilliant use of time to extend the Government’s difficulties and try to extract concessions.

We are in danger of making that all dead. It is not as though the House has a compelling amount of public business that it is desperately anxious to fit in. Every day, we spend our time discussing motherhood and apple pie Bills that have no significant opposition and that are all very worthy, or we have general debates on important matters almost without limit of time and with either no vote or no vote of confidence. Indeed, we even had a brief patch when Opposition Supply days were being treated with contempt and the House was being allowed to pass motions criticising the Government that were dismissed as having no legal effect.

Now, legislation does have legal effect, but it is obvious that the moment we have an important Bill, like yesterday and today, the Government are anxious that the House of Commons have no opportunity to talk about it and limited opportunities to vote on it and that it be got out of the way as quickly as possible. I really think that this convention needs to be challenged. This is a debating Chamber. It is one of the most important ways we hold the Government to account, and whatever our views on the subjects that we are about to debate—the stronger they are on either side, the more this applies—Members should start challenging this scandalous abuse of the House that tries to minimise dissent, votes and opinions of all kinds.

Mr Speaker: I am very grateful to the right hon. and learned Gentleman for contributing to what looks like being a brief exchange. Of course, the time available is not a matter for me. As he knows, the House must decide upon that. I say to him and the House, however, that although I cannot influence the time available for debate, on the matter of votes, the Speaker will do everything possible to facilitate votes that Members wish to have. That is what people would expect. As far as the Chair is concerned, no attempt to avoid that will work. People need to be clear about that.

Question put and agreed to.

Trade Bill


Consideration of Bill, not amended in the Public Bill Committee

New Clause 12

Report on proposed free trade agreement

“(1) This section applies (subject to subsection (2)) where the United Kingdom has authenticated a free trade agreement (‘the proposed agreement’), if—

(a) the other party (or each other party) and the European Union were signatories to a free trade agreement immediately before exit day, or

(b) where the proposed agreement is authenticated by the United Kingdom before exit day, the other party (or each other party) and the European Union are signatories to a free trade agreement on the day the proposed agreement is authenticated by the United Kingdom.

(2) This section applies only if the proposed agreement is not binding on the United Kingdom as a matter of international law unless it is ratified by the United Kingdom.

(3) Before the United Kingdom ratifies the proposed agreement, a Minister of the Crown must lay before Parliament a report which gives details of, and explains the reasons for, any significant differences between—

(a) the trade-related provisions of the proposed agreement, and

(b) the trade-related provisions of the existing free trade agreement.

(4) Subsection (3) does not apply if a report in relation to the proposed agreement has been laid before Parliament under section (Report to be laid with regulations under section 2(1)(2)).

(5) The duty imposed by subsection (3) applies only at a time when regulations may be made under section 2(1) (see section (2)(8)).

(6) In this section a reference to authenticating a free trade agreement is a reference to doing an act which establishes the text of the agreement as authentic and definitive as a matter of international law.

(7) In this section—

‘the existing free trade agreement’ means the free trade agreement referred to in subsection (1)(a) or (b);

the ‘trade-related provisions’ of a free trade agreement are the provisions of the agreement that mainly relate to trade.”—[George Hollingbery.]
Mr Speaker: In calling the Minister to move the new clause—he is one of the most courteous Members of the House and therefore it may seem almost unnecessary to say this—I simply ask, not least in the light of what the Father of the House has just said, that he recognise that, although of course he must set out the Government’s position, possibly on a miscellany of different matters, we are short of time and that others wish to speak. In all propriety, if this debate is to be meaningful, they must be able to do so.

2.22 pm

The Minister for Trade Policy (George Hollingbery): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

Government new clause 13.

Government new clause 14.

New clause 3—Free trade agreements: Parliamentary scrutiny and consent—

“(1) The Secretary of State shall not commence negotiations relating to a free trade agreement unless—

(a) a Minister of the Crown has laid before Parliament a sustainability impact assessment conducted by a credible body independent of government following consultation with—

(i) each devolved authority,

(ii) public bodies, businesses, trade unions and non-governmental organisations which, in the opinion of the Minister, have a relevant interest, and

(iii) the public,

and the assessment shall include both qualitative and quantitative assessments of the potential impacts of the proposed trade agreement, including social, economic, environmental, gender, human rights, labour, development and regional impacts,

(b) a Minister of the Crown has laid before Parliament a draft of a negotiating mandate relating to the proposed trade agreement, setting out—

(i) all fields and sectors to be included in the proposed negotiations,

(ii) the principles to underpin the proposed negotiations,

(iii) any limits on the proposed negotiations, and

(iv) the desired outcomes from the proposed negotiations, and

(c) the House of Commons has approved by resolution a draft of the regulations laid under subsection (1) is as follows—

(a) a draft of the regulations, and

(b) an explanatory document.

(2) The explanatory document must—

(a) explain under which power or powers in this Act the provision contained in the regulations is made;

(b) introduce and give reasons for the provision;

(c) identify and give reasons for—

(i) any functions of legislating conferred by the regulations; and

(ii) the procedural requirements attaching to the exercise of those functions;

(d) contain a recommendation by the Secretary of State as to which of the following should apply in relation to the making of regulations pursuant to the draft regulations—

(i) the negative resolution procedure (see subsection (6)) or

(ii) the affirmative resolution procedure (see subsection (7)); and

(e) give a reason for the Secretary of State’s recommendation.

(3) Where the Secretary of State’s recommendation under subsection (2)(d) is that the negative resolution procedure should apply, that procedure shall apply unless, within the 20-day period, either House of Parliament requires that the affirmative resolution procedure shall apply, in which case that procedure shall apply.

(4) For the purposes of this paragraph a House of Parliament shall be taken to have required a procedure within the 20-day period if—

(a) that House resolves within that period that that procedure shall apply; or

(b) in a case not falling within subsection (4)(a), a committee of that House charged with reporting on the draft regulations has recommended within that period that that procedure should apply and the House has not by resolution rejected that recommendation within that period.

(5) In this section the ‘20-day period’ means, for each House of Parliament, the period of 20 days on which that House sits, beginning with the day on which the draft regulations were laid before Parliament under subsection (1).

(6) For the purposes of this section, the ‘negative resolution procedure’ in relation to the making of regulations pursuant to a draft of the regulations laid under subsection (1) is as follows—

(a) the Secretary of State may make regulations in the terms of the draft regulations subject to the following provisions of this subsection;

(b) the Secretary of State may not make regulations in the terms of the draft regulations if either House of Parliament so resolves within the 40-day period;
(c) for the purposes of this paragraph regulations are made in the terms of the draft regulations if they contain no material changes to the provisions of the draft regulations; and

(d) in this subsection the ‘40-day period’ means—

(7) For the purposes of this section the ‘affirmative resolution procedure’ in relation to the making of regulations pursuant to a draft of the regulations being laid under subsection (1) is as follows—

(a) the Secretary of State must have regard to—

(i) any representations;

(ii) any resolution of either House of Parliament; and

(iii) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations, made during the 40-day period with regard to the draft regulations;

(b) if, after the expiry of the 40-day period, the Secretary of State wishes to make regulations in the terms of the draft, he must lay before Parliament a statement—

(i) stating whether any representations were made under subsection (7)(a)(i); and

(ii) if any representations were so made, giving details of them;

(c) the Secretary of State may after the laying of such a statement make regulations in the terms of the draft if they are approved by a resolution of each House of Parliament;

(d) if, after the expiry of the 40-day period, the Secretary of State wishes to make regulations consisting of a version of the draft regulations with material changes, he must lay before Parliament—

(i) revised draft regulations; and

(ii) a statement giving details of—

(a) any representations made under subsection (7)(a)(i); and

(b) the revisions proposed;

(e) the Secretary of State may, after laying revised draft regulations and a statement under sub-paragraph (d), make regulations in the terms of the revised draft if they are approved by a resolution of each House of Parliament;

(f) for the purposes of sub-paragraph (e) regulations are made in the terms of the draft regulations if they contain no material changes to the provisions of the draft regulations; and

(g) in this paragraph the ‘40-day period’ has the meaning given by subsection (6)(d).

(8) The provisions of this section shall apply to all agreements for which regulations would be of a type which falls under section 2(4A)(a) or (b), notwithstanding that they constitute retained European law and may be governed by the provisions of the European Union (Withdrawal) Act 2018 or any other legislation with regard to Parliamentary scrutiny of regulations under this Act.”

This new clause would set up a triage and scrutiny system under the control of Parliament for determining how Orders under Clause 2 will be dealt with, in circumstances when the new UK FTA or international trade agreement is not in the same terms as the existing EU FTA or international trade agreement.

New clause 16—Transparency in trade negotiations

“(1) The Secretary of State shall not make regulations under section 2(1) of this Act for the implementation of an international trade agreement (subject to sections 2(3) and 2(4)) unless the condition in subsection (2) of this section has been complied with.

(2) The condition is that the Secretary of State has provided to Members of both Houses of Parliament any information specified in subsection (3) relating to the agreement, within seven days of any meeting to which subsection (3)(a) applies.

(3) The information is—

(a) minutes of any meeting, whether formal or informal, between a representative of the United Kingdom and a representative of any other signatory state to discuss the agreement;

(b) any points of divergence between the terms of the proposed agreement between the United Kingdom and the other signatory (or each other signatory) and the terms of the agreement in place before exit day between the European Union and the other signatory (or each other signatory), that were discussed at the meeting; and

(c) measures that the Secretary of State considers will be necessary in consequence of any points of divergence under paragraph (b) of this subsection.

(4) The Secretary of State may specify conditions under which the information shall be made available under subsection (2).”

This new clause would require the Secretary of State to give MPs and Peers access to details of negotiations towards trade agreements with third countries if and when third countries seek changes to existing bilateral trade deals which the UK currently has through the EU.

New clause 20—Approval of negotiating mandates (devolved authorities)

“(1) No negotiation towards an agreement that falls within section 2(2) shall take place unless—

(a) a draft negotiating mandate in respect of that agreement has been laid before—

(i) a committee including representatives from each devolved authority and constituted for the purpose of considering the draft, and

(ii) each devolved legislature, and

(b) the draft negotiating mandate has been approved by resolution of—

(i) the committee constituted under (1)(a)(i) and

(ii) each devolved legislature.

(2) The committee in (1) shall be called the ‘Joint Ministerial Committee on Trade’ (JMCT) and—

(a) may not approve a draft mandate other than by consensus,

(b) shall have the power to make its own standing orders,

(c) may include a Minister of the Crown or representative thereof,

(d) may be consulted on a draft mandate before it is finalised (but in such a case must also approve the finalised version), and

(e) shall only include a representative of a devolved authority if that representative has been appointed by the relevant devolved executive.

(3) The ‘devolved legislatures’ are—

(a) the Scottish Parliament,

(b) the Welsh Assembly, and

(c) the Northern Ireland Assembly.

(4) The devolved legislatures shall approve the draft mandate according to their own standing orders.

(5) If the negotiating mandate changes substantively during the process of negotiations then negotiations shall not proceed until the revised mandate has been approved by the JMCT.

(6) Each person who is—

(a) a member of the JMCT, or

(b) a Minister of the Crown

must co-operate with every other person who is within subsection (a), or (b) in any activity that relates to the drafting of a negotiating mandate as referred to in subsection (1).

(7) In particular, the duty imposed by subsection (6) requires a person—
(a) to engage constructively, actively, and on an ongoing basis in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared; and

(b) to have regard to representations by any member of the JMCT or of a devolved executive in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared.

(8) The ‘devolved executives’ are—

(a) the Scottish Government,

(b) the Welsh Government, and

(c) the Northern Ireland Executive.’

This new clause would ensure that any negotiating mandate is first approved by the devolved legislatures and creates a joint ministerial committee to encourage co-operation between the devolved administrations and the UK Government in drafting the negotiating mandates. It imposes a duty of co-operation on all parties in the preparation of the negotiating mandate.

New clause 22—Right of devolved legislatures to scrutinise trade negotiations—

“(1) A Minister of the Crown shall provide a devolved authority with such information relating to an agreement falling within section 2(2) as is reasonably necessary for the purpose of subjecting that agreement to scrutiny in relation to—

(a) all areas of that devolved authority’s competence; and

(b) anything falling outside an area of that devolved authority’s competence but having an impact within the territory over which that devolved authority presides.

(2) The information in (1)—

(a) shall be provided at the request of a devolved authority;

(b) may relate to international trade agreements at any stage of development including—

(i) before negotiations begin,

(ii) during negotiations,

(iii) after negotiations have been completed.

(3) An appropriate authority shall not rely on Part II of the Freedom of Information Act 2000 in relation to a request made under this section.

(4) If information requested by a devolved authority would fall within Part II of the Freedom of Information Act 2000, a Minister of the Crown may provide it exclusively to a committee of the relevant devolved legislature.

(5) A Minister of the Crown shall adhere to any reasonable time limit placed by a devolved authority on the provision of information under this section.”

This new clause would ensure that the devolved legislatures will have sufficient information to effectively scrutinise trade agreements and negotiations, without compromising negotiations or sensitive information.

New clause 23—Devolved consent—

“(1) No agreement that falls within section 2(2) shall be ratified without the consent of the devolved legislatures to any part of that agreement that fall within subsection (3) of this section.

(2) The ‘devolved legislatures’ are—

(a) the Scottish Parliament,

(b) the Welsh Assembly, and

(c) the Northern Ireland Assembly.

(3) The parts of an agreement to which the devolved legislatures must consent are—

(a) any part concerning an issue that falls within the competence of a relevant devolved authority as defined in paragraph 7 of Schedule 1, and

(b) any part concerning an issue not falling within subsection (3)(a) but having an impact within the territory over which the relevant devolved authority presides.”

This new clause would create a right for the devolved legislatures to approve those aspects of an ITA that fall within their competence.

New clause 24—Review of international trade agreements (devolved authorities)—

“(1) No agreement that falls within section 2(2) of this Act shall be ratified unless it complies with subsection (2) of this section.

(2) An agreement that falls within section 2(2) shall include a clause which provides for that agreement to be—

(a) submitted for review by the appropriate bodies after five years from the date of ratification,

(b) submitted for review by the appropriate bodies every five years after the first review, and

(c) ended or amended based on the outcome of the reviews in subsections (2)(a) or (2)(b),

without sanction under the agreement.

(3) For the purposes of (2) the ‘appropriate bodies’ are—

(a) the UK Parliament,

(b) the Scottish Parliament,

(c) the Welsh Assembly, and

(d) the Northern Ireland Assembly.

(4) The appropriate bodies shall determine the procedure for the review in subsection (2) according to their own standing orders.

(5) Each international trade agreement shall be submitted to a review by the appropriate bodies according to the terms in subsection (2).

(6) A Minister of the Crown shall have regard to any representations made by an appropriate body resulting from a review undertaken under this section.”

This new clause would provide for Parliament and the devolved legislatures to review a trade agreement every five years and for the UK to bring an end to that trade agreement based on the outcome of those reviews without sanction under the agreement.

Government amendments 36 and 37.

Amendment 6, in clause 2, page 2, line 20, at end insert “,” and”.

This amendment would provide that the Henry VIII provisions in Clause 2 may only be used when a new UK free trade agreement is in the same terms as an existing EU free trade agreement.

Government amendments 38 and 39.

Amendment 7, in clause 2, page 2, line 29, at end insert “,” and”.

This amendment would provide that the Henry VIII provisions in Clause 2 may only be used when a new UK international trade agreement is in the same terms as an existing EU international trade agreement.

Amendment 8, in clause 2, page 2, line 29, at end insert—

“(4A) In circumstances where—

(a) a free trade agreement in respect of which regulations are to be made does not make the same provision, subject only to necessary changes in terminology, as a free trade agreement referred to in subsection (3)(a) or (b); or

(b) an international trade agreement in respect of which regulations are to be made does not make the same provision, subject only to necessary changes in terminology, as an international trade agreement referred to in subsection (4)(a) or (b);

an appropriate authority must not make regulations under subsection (1) unless the requirements of section [Regulations: Parliamentary procedure] have been met.”
Government amendment 42.

Amendment 19, in clause 2, page 2, line 40, at end insert—

“(a) No regulations may be made under subsection (1) in respect of a free trade agreement unless the text of that agreement has been subject to consultation prior to its ratification by Parliament, in line with any guidance or code of practice on consultations issued by Her Majesty’s Government.

(a) A consultation under paragraph (a) shall actively seek the views of—

(i) Scottish Ministers,
(ii) Welsh Ministers,
(iii) a Northern Ireland department,
(iv) representatives of businesses and trade unions in sectors which, in the opinion of the Secretary of State, are likely to be affected by the proposed free trade agreement, and
(v) any other person or organisation which appears to the Secretary of State to be representative of interests affected by the proposed free trade agreement, including local authorities.”

This amendment would require the Government to have published the text of each UK free trade agreement and opened it to consultation with business, trade unions, the devolved administrations and other parties prior to its ratification.

Government amendment 4.

Amendment 9, in schedule 2, page 12, line 5, after “2(1)” insert

“(unless the regulations are of a type which fall under section 2(4A)(a) or (b)).”

This amendment is consequential on NC6.

Amendment 2, in schedule 2, page 12, line 6, at end insert—

“(1A) A statutory instrument containing regulations of a Minister of the Crown under section 2(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

Government amendments 71 to 74.

Amendment 10, in schedule 2, page 12, line 20, at end insert

“(unless the regulations are of a type which fall under section 2(4A)(a) or (b)).”

This amendment is consequential on NC6.

Government amendments 75 and 79.

George Hollingbery: I am delighted to tell you, Mr Speaker, that I can accord with your wishes and those of my right hon. and learned Friend—and learned Friend the Member for Rushcliffe (Mr Clarke).

The Government have been consistently clear that the priority for the UK’s existing trade relationships as we leave the EU is continuity. Our partner countries are clear on that, too, and this Bill is about continuity. Specifically, clause 2 creates a power to help with the implementation of obligations of the trade agreements that we are seeking to transition into UK-only agreements as we leave the EU. I recognise that Members are seeking reassurance that the Government will be transparent about the content of these transitioned agreements and about what might need to change to deliver this continuity, which we have championed for so long.

Indeed, I understand the purpose of the new clause 6 and the associated amendments, tabled in the names of my hon. Friends the Members for Huntingdon (Mr Djanogly), for Wimbledon (Stephen Hammond) and for Bromley and Chislehurst (Robert Neill). My predecessor, my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), and I held constructive discussions with my hon. Friend the Member for Huntingdon to ascertain how best we could help that transparency. As a result, the Government have tabled new clauses 12 to 14 and amendments 4, 36 to 39, 42, 71 to 75 and 79. I will now explain them in a little detail.

New clause 12 and the associated Government amendments will place a duty on Ministers to lay a report in both Houses of Parliament. This report will explain any changes made to the continuity agreements when compared with the existing EU third country agreements. The report will be laid in Parliament before the continuity agreements are ratified or at least 10 Commons sitting days before any implementing regulations are laid under clause 2, whichever comes first. We want these reports to be as helpful as possible. That is why we will signpost any significant changes being made, to ensure that existing trade agreements can function effectively in the UK-only context. Implementing regulations made under clause 2 will also now be subject to the affirmative resolution process, which will further enhance parliamentary scrutiny. I have also committed that, for each statutory instrument made under the clause 2 power, the accompanying explanatory memorandum will be explicit in referencing which of the changes identified in the report it plays a part in implementing.

With amendments 44 to 47, we are reducing from five years to three years the length of the period for which the implementing power can be used. The period will be renewable by agreement in both Houses of Parliament.

I hope that my hon. Friend the Member for Huntingdon agrees that these amendments address the spirit of the issues he was seeking clarity on and provide enhanced parliamentary scrutiny.

Bill Esterson (Sefton Central) (Lab): We raised concerns in Committee about the Government’s power grab in the Bill. For 40 years, we have subcontracted our responsibility for trade agreements to the EU, while scrutiny has been delivered through the European Parliament and by our own European Scrutiny Committee, yet the Government are not proposing any equivalent scrutiny processes for agreements that will replace those we currently have through our membership of the EU. This lack of scrutiny is a major issue, and we raised the concerns of business, trade unions, civil society, consumers and many more in Committee.

The Labour party submitted a series of amendments in Committee that embodied a full process of parliamentary scrutiny and extra-parliamentary consultation. The Government responded by saying that the new UK agreements would just roll over the terms of existing EU agreements and would thus need no process of scrutiny, having already been scrutinised.

Greg Hands (Chelsea and Fulham) (Con): Does the hon. Gentleman not accept that we are dealing with existing EU agreements that have already been scrutinised in both Houses of Parliament and that in many cases have already been in effect for a long time—in some cases, decades? It is important to have the ability to scrutinise the agreements if they have changed, but
in general I think that he is barking up the wrong tree in alleging that this is an attempt to avoid parliamentary scrutiny.

**Bill Esterson:** The former Minister should have waited, because he anticipated my remarks: the Government’s delegated powers memorandum told a different story. Paragraph 46 noted that the new UK agreements would not just be legally distinct but could include “substantial amendments, including new obligations”.

In other words, these will not just be roll-overs; they will be new treaties that can introduce wholly new terms of trade between the UK and our trading partners—terms that will be binding on us for years to come.

Government new clause 12 is confirmation that Labour was right to identify the problem here. It will require a report to be laid before Parliament before the ratification of any free trade agreement that will highlight and explain any significant differences between the new agreement and the corresponding EU agreement on which the new agreement is based. It is disappointing, therefore, to see this concession wiped out immediately by Government new clause 13, which will allow them to sidestep the obligation to lay such a report. It will also allow the Government to ratify new agreements without having produced the report in question. Government new clause 14 picks up the same point prior to implementation, but by this time the trade agreement will already have been ratified.

We will support new clause 12, but if the Government really mean what they say, they should withdraw new clause 13. We will also support new clause 3, which pays us the compliment of replicating the amendments that we tabled in Committee and which sets out the scrutiny process that should be adopted for new trade agreements.

2.30 pm

The Government have already started work towards new agreements to replace existing EU agreements in their trade working groups. Talks are under way behind closed doors to determine what our new trading arrangements might be, but we have no information whatsoever about what is being discussed or where the new terms might come into play. I commend new clause 16, tabled by my hon. Friend the Member for Swansea West (Geraint Davies), which calls on the Government to start providing some information about what is going on in those meetings. The Minister would do well to accept it as a friendly amendment.

Our amendment 19 addresses the lack of proper consultation. The Government’s alienation of the business community has been quite remarkable. Businesses will be relieved that we no longer have a Foreign Secretary whose policy was to “f*** business”, but they remain deeply concerned that we still have an International Trade Secretary who is not prepared to take an informed approach to the development of international trade agreements, on which they and the rest of our country will depend.

**Mr Jim Cunningham** (Coventry South) (Lab): My hon. Friend has just raised a serious issue. There is a great deal of concern among businesses and trade union organisations, which fear that the Government are trying to slip things through without proper scrutiny. Does my hon. Friend agree that that is the nub of the problem?

**Bill Esterson:** My hon. Friend is absolutely right. Following the Committee, six major business organisations—the CBI, the British Chambers of Commerce, the Engineering Employers Federation, the International Chamber of Commerce, the Institute of Directors and the Federation of Small Businesses—took the unprecedented step of issuing a joint statement with the TUC, Unite, the Trade Justice Movement, the Consumers Association, or Which?, and other industry bodies, calling for a proper model of consultation and scrutiny to govern the UK’s policy-making process in future.

The Secretary of State delivered his statement to the House yesterday, telling us about future plans for a more transparent and inclusive UK trade policy, but at the same time reminding us that the future process would not apply to the Bill or the agreements that correspond to our existing EU agreements. That is why our amendment 19 is so important: it provides for proper consultation on any substantive new elements in the 40 trade agreements that we need to replace the EU’s existing trade deals. The involvement of the widest possible group of stakeholders is essential if we are to ensure that the new trade agreements are properly designed to give our businesses, consumers, workers and public services what they need.

We argued in Committee that any regulations made under the Bill should be subject to the affirmative procedure in Parliament, not the negative procedure, as originally stipulated in schedule 2. I am pleased to see that the Government have agreed that we were right to insist on parliamentary accountability, as their amendment 75 provides that any regulations made under clause 2(1) will indeed be subject to the affirmative procedure. That is not the further extension to which the Minister referred; it is entirely new, and it removes the need for the triage and scrutiny system proposed in new clause 6. However, it leaves any regulations to be made under clause 1(1), in relation to the World Trade Organisation’s Government procurement agreement, subject to the negative procedure. The Minister did not explain the logic behind that, and I should like him to do so, especially given that amendment 32 will grant the Government the power to extend the disciplines of the GPA to new bodies if they so choose, not just to renamed or merged Government entities.

Worse still, Government amendment 34 will introduce what is effectively a further Henry VIII clause, in that it will grant the Government the power under clause 1 “to modify retained direct EU legislation” in respect of GPA implementation. Members should note that that is a power in perpetuity, as there is no sunset clause in relation to clause 1. In Committee, we argued for the removal of all Henry VIII powers from the Bill, and we support the further attempt to limit those powers in amendments 6 and 7, tabled by the hon. Member for Huntingdon (Mr Djanogly).

The Government have told us:

“Retained direct EU legislation will operate in a different way to both primary and secondary legislation”,

with

“unique status within the domestic hierarchy.”

The European Union (Withdrawal) Act 2018 distinguishes between “minor” and “principal” types of retained direct EU legislation precisely so that Parliament can apply more rigorous powers of scrutiny to the more
important elements. A modification of principal retained
direct EU legislation, as envisaged in amendment 34,
could therefore have a constitutional significance analogous
to that of modifying primary legislation. Introducing to
the Bill what is effectively yet another Henry VIII
power, with no sunset clause to limit its future application,
is a serious challenge to parliamentary democracy, and
the Minister has not explained why the House should
countenance such a move.

New clause 23 would give the devolved Administrations
the right to veto a trade agreement before ratification. I
simply point out that international agreements are a
competence of the UK Government under the devolution
settlement, which is why we will not support that proposal.

In his statement yesterday, the Secretary of State
recognised the problems that are caused when Governments
sign off trade deals that do not have public legitimacy.
However, he has failed to follow the logic of his own
statement in respect of the 40 agreements that we need
to replace our existing EU deals. Even given the
Government’s concessions, the Bill is still woefully lacking
in transparency and scrutiny, and such a democratic
deficit needs to be addressed. As the CBI representative
asked us during the Committee, “If not now, when?”

Gillian Keegan (Chichester) (Con): Thank you, Mr Speaker,
for giving me the opportunity to speak in the debate.

I served on the Committee, and it is clear to me that we
should pass the Bill in order to build the legal
foundations that we need to support global trade by
ensuring that existing trade agreements via the EU can
continue, providing access to overseas procurement
opportunities—an important market worth £1.3 trillion—
and protecting our business from unfair practices via
the new Trade Remedies Authority.

There is much debate about the shape of the future
trading relationship between the European Union and
the United Kingdom, but the Bill is required for every
situation that our country will face as we leave the EU.
It seeks to ensure that we will continue to enjoy the
benefits of trade deals that the EU has done with more
than 40 countries around the world. There is, however,
an inherent assumption that the UK will reach agreement
on the terms on which we continue trading with our
biggest partner, the European Union. Any “no deal”
scenario is likely to have an impact on how rules of
origin are calculated in the trade agreements.

This is complex stuff. I think we all understand that
we are making big decisions that will have an impact on
businesses—both large multinationals and small and
medium-sized enterprises—which export to or import
from the EU. As someone who has worked in car
manufacturing, financial services and technology for
nearly 30 years, I am unfortunately burdened with some
knowledge of how all this works and of the operating
models that have emerged over the last 40 years, making
many industries, such as car manufacturing, finally
competitive. In the real world there is no such thing as a
hard or a soft Brexit; there are just degrees of risk. The
Prime Minister is seeking a low-risk Brexit in her Chequers
White Paper—one that involves listening to businesses
that have built highly integrated supply chains, such as
Rolls-Royce in my constituency.

Of course it is possible to find examples of car parts
coming from outside the EU without a problem, but the
question is one of both scale and financial impact. Only
a business will have a truly accurate view on this, but it
is safe to assume that introducing costs will have a
negative impact on businesses large and small throughout
the country. They will want to avoid going back to the
days when supply chains were not highly integrated and
efficient. They will need to hold stocks in warehouses or
lorry parks. I am probably the only person in the House
of Commons who has sat in customs waiting to rescue a
stranded part while a car production line lay idle. Delays
are quite simply the difference between profit and loss.
The same applies to agricultural goods. We have a
thriving growers’ business in Chichester, and export
more than £1 billion of perishable goods to the EU
every year. Customs delays and perishable goods are
two words that do not belong in the same sentence.
That is why I completely support the pragmatic approach
to goods set out in the Chequers White Paper and I
believe it will also enable us to make future international
trade agreements as envisaged in this Bill.

But as well as achieving these outcomes, we have to
respect the referendum result. The British people voted
to end freedom of movement and to get back control of
their borders, laws and money. We can all have views on
whether a better deal could be negotiated. These are
views, not facts. However, I cannot help thinking that if
we had been offered a deal a few years ago that ended
free movement, stopped future payments to the EU,
continued frictionless trade, and regained control over
our fisheries and farming policies with no hard border
in Northern Ireland, we would have readily agreed; in
fact, we would have bitten the EU’s hand off.

Every successful negotiation requires compromise,
and perhaps the Rolling Stones express our current
predicament best in one of their greatest songs: “You
can’t always get what you want, but sometimes you can
get what you need.”

Several hon. Members rose—

Mr Speaker: Order. In calling in a moment the hon.
Member for Brighton, Pavilion (Caroline Lucas), principally
to speak to her new clause and in the knowledge that
she is a celebrated and award-winning parliamentarian,
I feel that I can say with total confidence that she will
require no longer than five minutes to make her case.

Caroline Lucas (Brighton, Pavilion) (Green): Indeed,
I do rise to speak to new clause 3, which is in my name
and signed by more than 50 Members of the House
from four different parties, and I give notice that I
would like to move it when it comes to the votes.

This amendment essentially seeks to remedy the Bill’s
failure to provide for a proper role for parliamentarians
in the scrutiny and approval of trade agreements. At
present, trade agreements can be negotiated, or renegotiated
as is likely to be the case with many of the existing EU
trade deals covered by this Bill, entirely under royal
prerogative powers, essentially giving the Government
free rein to decide when and with whom to start
negotiations, to set their own priorities and objectives,
to conduct the negotiations in great secrecy, and to
conclude the deal without any meaningful parliamentary
scrutiny. That not only sidelines Members of this House,
but it prevents valuable input by civil society organisations and the wider public. This Bill is supposed to help implement an independent trade policy following withdrawal from the EU, but it does nothing to put in place the kind of scrutiny and approval framework that should be required for an accountable trade policy in a modern democratic country. And this is the only legislative opportunity we are likely to have to put such a framework in place.

In his statement yesterday, the Secretary of State for International Trade once again sought to make a distinction between replacements for existing EU trade deals and future trade deals, but the fact is that effective parliamentary scrutiny and approval is needed for both, for it is increasingly clear that, contrary to the hope of Ministers, it is not going to be a simple case of transitioning, or “rolling over,” existing EU trade deals. Some or all of the countries in question are not simply going to be content to continue with the existing arrangements, and Ministers will have little choice but to negotiate a replacement deal. So while yesterday’s statement by the Secretary of State must be welcomed for its clear, if somewhat overdue, recognition of the current democratic deficit in the making of trade deals and the need to correct that if we are to have a modern, transparent and accountable trade policy, it needs to be applied much more fully and more extensively.

Unfortunately, the package of proposals set out yesterday falls well short of what is required, both because it does not apply to the existing EU trade deals covered by this Bill and because it does not go far enough. For example, it is welcome that the Secretary of State proposes a process for Ministers to set out their ambitions before embarking on a new set of negotiations, including scoping assessments, and the commitment to publish impact assessments is also a step forward, but the reality is that recent impact assessments by the Government on trade have focused purely on the impact for exporters, without taking into account at all the wider economic impacts, let alone social, environmental, gender and regional impacts and the effects on workers’ rights. So we need to see a much stronger commitment to transparency.

Most significantly of all, the Secretary of State’s proposals fail to give Parliament meaningful oversight of new trade deals. For that to happen, Members of this House need a guaranteed vote on the deal that emerges from the negotiations. Without that, all the other measures proposed by the Secretary of State yesterday risk being little more than window-dressing.

The Secretary of State contends that the Constitutional Reform and Governance Act 2010 is all that is needed. However, that process is an utterly inadequate rubber stamp: it gives Parliament a right to say whether a new trade deal should or should not be ratified, but does not enable Parliament to propose modifications. Moreover, as we know to our detriment time and again, Ministers can and do simply overrule Parliament and ratify the trade deal despite Parliament’s objections. In contrast, Members of both the European Parliament and the US Congress get an automatic vote. If this issue is about taking back control, why do we not take back some control in this Chamber and make sure we get the same kind of vote that other legislatures with whom we will be negotiating do?

Trade deals are not simply commercial negotiations; they are public policy negotiations and should be treated as such. Transparency, scrutiny and parliamentary approval should be embraced, not treated as a risk.

Mr Mark Prisk (Hertford and Stortford) (Con): The hon. Lady’s new clause says the impact assessment should include “both qualitative and quantitative assessments”. Can she give an example?

Caroline Lucas: A qualitative impact would be the impact on the environment, for example. We want to know not just the economic quantity of the impacts in terms of how much trade gain we are going to get out of a negotiation, but the qualitative impact on the public policy areas that I am talking about. We cannot quantify necessarily the impact of a trade deal on our own environmental standards, but we can say whether qualitatively those standards are going to be degraded. That is why we need both those terms: we want to know the quantitative and the qualitative impacts. They are separate, and it is not that difficult to see the difference.

New clause 3 sets out the kind of framework we need. Before commencing the negotiation of a trade agreement, Ministers must bring before Parliament at the very least a sustainability impact assessment conducted by a credible independent body, covering not just the potential economic impacts, but the social and environmental ones. The devolved authorities, businesses, trade unions and the public must be consulted about the potential agreement, as is required in the US. If the decision is to go ahead, Parliament would be required to give its consent to a mandate for the negotiations, setting guidelines and boundaries, a process based on the Danish model. The Government would conduct negotiations transparently, releasing texts before and after each negotiating round, building upon the procedure in the EU and following practices common in other areas of international negotiation, such as climate talks.

My amendment is a very basic and simple one. It is asking for things that are common in many other countries around the world, and saying that we should do the same.

Mr Jonathan Djanogly (Huntingdon) (Con): We are clearly in a very much better situation now with this Bill’s regulation scrutiny provisions than after the Second Reading in this House, and on that basis my recommendation will be that hon. Members do not vote for my new clause 6 or my amendments 6, 7, 8, 9 and 10, but that they vote for the alternative Government amendments, new clauses 12, 13 and 14 and all their tabled amendments to clause 2. If the Government amendments pass, Henry VIII will have been banished from this Bill and a sensible compromise scrutiny system will have been inserted. The Government have listened and done the right thing and we should support them for that, but there are still issues, so let me explain my thinking.

This Bill applies to around 40 existing EU trade-related agreements involving some 70-plus third countries. This actually also includes some agreements that are concluded but are still due to be implemented, which I shall call collectively FTAs. It is estimated that 10 of the UK’s
Mr Jonathan Djanogly

top 50 export markets are served by these EU FTAs, accounting for 35% of UK trade. I can therefore understand why the Government are keen for the UK to adopt these FTAs post Brexit, or “roll them over” in the terminology used by Ministers. In addition, I understand the practicalities of the situation: the Government have limited negotiating capacity and the idea of dealing with all of these 70 third countries and starting deals from scratch is undoubtedly unrealistic in the immediate term. Indeed, the average time for negotiating an FTA is seven years and the recent Canada deal took more like 15 years. So I understand that there is a lot at stake here for the UK, and I appreciate that the International Trade Department is under a lot of pressure to deliver.

Having said that, I do not think that the Department has covered itself in glory in its handling of these roll-overs. To start, I would make the point that we have been given a wall of silence. The International Trade Committee back in March asked the then Minister to prioritise these negotiations more, to publish a detailed risk register identifying clearly the agreements concerned, to produce a timetable of the work-streams involved, to produce a prioritise these negotiations more, to publish a detailed Committee back in March asked the then Minister to been given a wall of silence. The International Trade Department is under a lot of pressure to deliver.

Having said that, I do not think that the Department has covered itself in glory in its handling of these roll-overs. To start, I would make the point that we have been given a wall of silence. The International Trade Committee back in March asked the then Minister to prioritise these negotiations more, to publish a detailed risk register identifying clearly the agreements concerned, and to have contingency plans even for where third countries have only given an assent in principle. It took the Government until 15 May to respond to the Committee report, and to call their response bland and non-committal would be an understatement. In the meantime, various leaks and rumours have been appearing, maintaining that some of the negotiations with third countries have not been going quite according to plan and that the EU has not been as helpful as the Ministers had originally thought it might be. This would include the EU telling us that it will not ask its FTA trade partners to allow the UK to benefit from their existing deals until the UK signs the final legal text of the Brexit deal. That could leave us with only a few months up to next March in which to negotiate the roll-overs.

Given all this, I have some sympathy with new clause 16, tabled by the hon. Member for Swansea West (Geraint Davies), which demands further details of the status of these proposed roll-over deals, and the Minister should acknowledge the frustration on this that is shared by everyone outside his own Department. We have received vague assurances from the Department that the roll-over discussions are going according to plan and that everything will be all right on the night. We are also being told that the Government need to have this legislation in place so that they can action the roll-overs, and that they need the regulatory powers to make this happen quickly if need be, including in the situation of our Brexiting with a no-deal scenario.

I am trying to show that the Government have asked for sweeping Henry VIII powers while keeping people pretty much in the dark as to what they might be needed for, and while providing little hard evidence of what has been achieved to date. Of course, UK business has also been crying out to know where we stand as regards these important overseas markets. I hope that the Government are right and that the roll-overs will take place as planned with no or few changes, but that does not mean that it would be acceptable that any material changes to the deals should just be waved through by Ministers without any parliamentary scrutiny. For instance, let us say that one of the EU third countries with which we wish to roll over a deal says, “Yes, we agree that you can roll over, but let’s face it, you are a market of only 50 million people rather than 500 million, so we’ll agree to roll over, but only on condition that we also get 50,000 visas a year.” Under the Bill, that could be pushed through by Ministers on a negative order with no scrutiny at all. By the way, I do not see this as a remain argument or a leave argument; I see that as simply wrong. If Brexit is about returning power to Parliament, it is surely not about then just giving Ministers sweeping new powers, not least in a scenario where so little information has been given to hon. Members.

The Government have been maintaining that they wish to use these powers to roll over existing EU deals before possibly coming back to renegotiate substantive deals with the same countries, which would be subject to a scrutiny process yet to be proposed. However, I do not see why these same powers should not be capable of being used again after roll-over to make further changes to the same FTA during the five-year period—a sunset period which, with a possible further five-year extension, is in my opinion much too long.

All those reasons led me to think that we have a real problem with these provisions and I therefore tabled my amendments, looking for a triage and scrutiny system. However, since tabling the amendments, I have had an ongoing dialogue with Ministers, including my right hon. Friend the Member for Chelsea and Fulham (Greg Hands) and more recently the Minister for Trade Policy, my hon. Friend the Member for Meon Valley (George Hollingbery). Discussions have been courteous and positive, and I am pleased to say that the Government have listened and tabled their own amendments—I think more than 40 of them—to clause 2.

This will mean that the first proposed statutory instruments related to an FTA will need to be laid not less than 10 sitting days after the issuing by a Minister of an explanatory report. The changes proposed in the report will then be cross-referred to in the related SI’s explanatory memorandum. Further, it is now proposed that all related SIs will be subject to the affirmative procedure, however material or immaterial they may be. This effectively takes away any need for sifting provisions. Finally, the sunset period is proposed to be cut from five to three years, plus up to a possible further three years following an affirmative resolution.

Vicky Ford (Chelmsford) (Con): I have received many hundreds of emails from my constituents asking me to support my hon. Friend’s amendments in order to bring more transparency to the trade process. Can he confirm that the amendments that the Government have tabled today will meet their requests? I have had four times as many emails on this as I had on the White Paper.

Mr Djanogly: Yes, the approach that has now been adopted is, I believe, a fair one, subject to some ironing out that might need to be done in the other place. Yes, it is a good deal for my hon. Friend’s constituents.

After no little discussion over the last few months, I think that the position is now very much improved. Let us keep in mind that a single FTA might have many SIs attached to it, so to have the report laid 10 sitting days in advance of the first SI, setting out all the changes in the proposed deal that will need to be considered, should be more transparent than just attaching a period
for scrutiny to the SIs themselves. Furthermore, attaching the 10 sitting days’ time delay to the report will allow any comments that people wish to make to be made before the SI is laid, which is more effective from a review point of view.

I am concerned that these powers could be used multiple times on the same FTA—say, if different trading terms were agreed a couple of years after roll-over. I understand that this is not the Government’s intention and I believe that the effect of these Government amendments would be to prevent that, unless the proposed changes came within the scope of the initial report. However, if they did not come within the scope of the report, Ministers should be required to provide a further report. Clarification on this point, perhaps today from the Minister or in the other place, would be appropriate.

I note the insertion of a provision in new clause 13 saying that Ministers should not have to prepare a report on the proposed FTA in exceptional cases. Apparently the Constitutional Reform and Governance Act 2010 contains a similar provision. The Minister has assured me that this provision is unlikely ever to be used, and that if it was, a report would still need to be prepared and there would still be a need for an affirmative resolution. Again, I hope that the Minister will refer to this in his closing remarks.

A further issue is the need to confirm that the scrutiny provisions to be used on these FTAs will be those set out in this Trade Bill and not those in the European Union (Withdrawal) Act 2018. This is provided for in my new clause 6. From discussions with the Minister, I understand that he has been advised that all regulations relating to rolled over EU FTAs will necessarily need to be dealt with under the terms of this Bill, but again, clarification would be helpful.

Yesterday we debated the Taxation (Cross-border Trade) Bill, which itself contains its own powers to make orders. Although other colleagues have been focusing on that Bill, I remain concerned that the scrutiny system in today’s Bill ties in with that Bill. This is relevant because aspects of an FTA, which are customs related, will be dealt with by yesterday’s taxation Bill rather than by today’s Bill. The regulation provisions may therefore need to work in sync.

All hon. Members from both sides of the House have been involved in this, and I thank those who have supported my amendments. The outcome has not been a victory for any Brexit faction; it has been Parliament that has won this debate in upholding its right to review points of view.

Stewart Hosie: My hon. Friend the Chair of the International Trade Committee makes an important point. We have already seen the impact of sub-state Parliaments in Europe on previous European trade deal discussions. Indeed, my hon. Friend is right that we have seen the impact of provincial governments in Canada, and we would do well to take that on board here. In a sense, that is what my new clauses are about.

New clause 20 sets the role of the devolved Administrations in helping to approve the negotiating mandate. It suggests that a joint ministerial committee on trade be set up with representatives from all the devolved Administrations, that that committee be required to reach consensus on any draft negotiating mandate, and that it be revisited if the mandate changes during the negotiations. New clause 20 also requires that the consent of the Scottish Parliament and the other devolved Administrations be secured specifically for areas under devolved control that may be affected by a trade deal. That is not a veto, as the Labour Front-Bench team would describe it; it represents responsibility for the areas that the devolved Governments have responsibility for. In short, new clause 20 ensures that any negotiating mandate is first approved by the devolved legislatures and that a joint ministerial committee is created to co-operate and agree the mandate.

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3 pm

New clause 21 lays out the process to include the devolved nations during negotiations, which would happen by ensuring that a negotiator from each of the nations would be on the UK negotiating team for each deal. New clause 22 ensures that Members of the Scottish
Parliament and of the other Administrations should be given the legal right to see negotiating texts and scrutinise the negotiations from the perspective of the impact they might have on devolved competences. I welcome what the Secretary of State for International Trade said yesterday about sharing information, but I got the impression that he would not go as far as new clause 22 seeks. However, the change is necessary so that the devolved Administrations can actually see what the real impact on their competences might be.

New clause 23 creates a right for the devolved legislatures to approve those aspects of a trade deal that fall within their competence. Again, that is not a veto; it is responsibility structures are in place to include, formally and on a statutory basis, representatives from all the Administrations. I will finish with why we want to make these changes. The Secretary of State said yesterday that he hoped soon to be able to announce the countries with which he wanted to start negotiating. When the dust has settled on Brexit in a year or two, I hope that he can come back to the Dispatch Box and announce a fantastic deal with a new third country. He may well say, “We’re going to sell hundreds of millions of pounds’ worth of new Nissan cars from Sunderland.” Brilliant. However, if the quid pro quo is that the third country wants to sell soft fruit to the UK or has access to UK fishing waters—nothing wrong with that if it is the deal that is cut—even if there is a massive net economic gain to the UK, it would be a good deal for the north-east of England and a bad deal for the north-east of Scotland.

It is not seeking a veto or anything unusual to ask that the devolved Administrations be involved on a statutory basis. It is common sense to have equality and equity so that the devolved Administrations can have an input and be able to propose changes and make recommendations to the UK Government. If we want the public to have confidence in our trade arrangements and if we want them to believe that trade agreements will benefit everyone to the UK Government. If we want the public to have confidence in our trade arrangements and if we want them to believe that trade agreements will benefit everyone to the British public, it would be a good deal for the north-east of England and a bad deal for the north-east of Scotland.

I am conscious that time is short. I hope to press new clause 20 to a vote and then we can move on to the other groups of amendments as quickly as possible.

Several hon. Members rose—

Mr Speaker: Order. We are very constrained for time, and I know that the hon. Member for Gloucester (Richard Graham)—great diplomat of international renown that he is—will not absorb the House’s attention for more than five minutes, but we will savour those five minutes.

Richard Graham (Gloucester) (Con): Thank you, Mr Speaker. I welcome the Minister’s announcement that today’s debate is about continuity and transparency, but the truth is that it is laced with a cocktail of amendments with very different agendas. The two most popular agendas represent attempts to lock us into either the or a customs union, as in new clause 5, or to secure a customs union were the negotiations to fail to secure frictionless FTAs, which is in new clause 18. That is the clearest invitation to the European Union to refuse those negotiations. The third one—[Interruption.]

Be patient.

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker.

Mr Speaker: I hope it is a point of order, not a point of frustration.

Geraint Davies: The hon. Gentleman is referring to new clause 18, which is in the next group. We have limited time and he is talking about the wrong section of the Bill.

Mr Speaker: Forgive me: because I was engaged in discussions at the Chair, I did not notice that. The hon. Member for Gloucester (Richard Graham) must focus with razorlike precision on the matters in this group. If he does not wish to do so, he must wait until we are discussing another group. If he can find a way of delicately relating his concerns to the group with which we are dealing, rather than one with which we are not, that would be in order.

Richard Graham: Thank you, Mr Speaker. If the hon. Member for Swansea West (Geraint Davies) had waited but two seconds, he would have realised that I was precisely there with my third illustration of today’s agendas: the attempts to avoid free trade agreements altogether, of which new clause 3 is the most striking example, or to scrutinise them to death, as set out in new clause 20.

I wish to linger on new clause 3. It may appear to those outside this House that it contains reasonable requirements. It states that Ministers of the Crown should lay a draft of the negotiating mandate, setting out fields, sectors, principles, limits and desired outcomes of agreements that may well be an exact and absolute rollover of existing agreements that were negotiated decades ago. The truth is that this is the “we do not want any free trade agreements” clause. It would frankly be absurd to pretend that we could ever get anything done, given the requirement to ensure that “between each round of negotiations” of some 40 agreements “all documents relating to the negotiations have been made available for scrutiny by select committees”,

unnamed and unnumbered. Those who drafted that new clause would clearly have been against the anti-corn laws of 1832 and against Adam Smith’s “The Wealth of Nations”. They would be against this country actually receiving anything at all in trade, specifically if we manufactured or produced it here in this country. Micro-management would run riot, and it would mean the end of all free trade agreements for all time. I therefore completely reject that approach.

My second point is that what we are talking about tonight ultimately comes down to difficult decisions about what type of nation we want to be when we leave the European Union. It has always been clear to me that if we are to leave the EU, we cannot stay in the or a customs union. It is bizarre that some Opposition Members do not see that our inability to decide our trade preferences,
particularly with the poorer nations of the world that are currently disfavoured under the common external tariff regime, could not be significantly improved by having our own free trade agreements.

The next point—the right hon. Member for Twickenham (Sir Vince Cable) is a classic example of this particular school of thought—is that we will not be able to negotiate effective free trade agreements on our own once we have left the European Union and the customs union. I urge all those in this House who believe that to look closely at the potential of the Trans-Pacific Partnership and the warm interest from all those involved in that complicated and important agreement in an area of vital growth to the world. The opportunity for us there is significant. We should not listen to those who put up new clauses that would get rid of free trade agreements forever, and we should seize the opportunities that leaving the customs union will offer us if we are to leave the European Union, which we are.

Geraint Davies: I will be brief. The Trade Bill is of course the latest part of the Brexit fantasy built on the illusion that the trade we lose from the EU will be made up by the US and, in particular in this Bill, by the continuation, without any change, of the existing 14% of our trade with third countries. We know from Donald Trump that we cannot rely on the US. This is about whether we can rely on the 70 countries and 40 agreements to deliver the 14% of our trade in the same way, and the simple fact is that, rather than negotiating as team EU, any country now looking to negotiate against the UK alone is bound to want a new agreement, because we are a much weaker party.

That is why, in speaking to new clause 16, I simply ask that MPs have information about the countries that ask for changes in those agreements. The current Minister and previous Ministers have claimed that no one is asking for any changes, and that it is business as usual. If they deny the amendment, they will just be illustrating that, behind closed doors and under the cloak of darkness, we could see our protections and rights undermined.

Jeremy Lefroy (Stafford) (Con): In speaking to the amendments on the transparency and scrutiny of free trade agreements, I ask the House to lift its eyes beyond the detailed scrutiny that will inevitably and necessarily take place in this House and consider whether we should not also be looking to join others not in the European Union but in free trade associations.

Pretty much every single country in the world is part of some kind of free trade association, whether a very close one or a much more loose-knit one—whether it is Mercosur in South America, the Common Market for Eastern and Southern Africa or the North American free trade agreement. I therefore ask the Government to look at the European Free Trade Association, which is not synonymous with the EEA or with Switzerland. If it will have us, as I very much hope it will, EFTA would provide the ideal vehicle for both the withdrawal agreement and the transition arrangement of 21 months, during which time we will be members of the EEA, and for the association agreement thereafter.

Angus Brendan MacNeil: The hon. Gentleman is fantastic in making the fundamental point that the rest of the world is in regional trade agreements. He is just about correct. Only five countries are not in regional trade agreements, which is what the UK is heading towards: East Timor, Somalia, South Sudan, and we think, Mauritania—

Mr Speaker: Order. We do not have time for these long interventions. Short question, one sentence. Thank you.

Angus Brendan MacNeil: Does the hon. Member for Stafford (Jeremy Lefroy) think it is incumbent on the UK to think again about being in that company?

Jeremy Lefroy: Yes.

Mr Speaker: Has the hon. Gentleman concluded his oration?

Jeremy Lefroy indicated assent.

Mr Speaker: Magnificent. We are very grateful to him.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): This group of amendments is about parliamentary scrutiny, and in a way it is a shame that some on this subject are in later groups. The key thing I want is to ensure that appointments to the Trade Remedies Authority are subject to confirmation by the International Trade Committee in the same way that the Treasury Committee has confirmation hearings on the Monetary Policy Committee and the Financial Policy Committee.

New clause 12 gives me a little tickle, a little laugh, because it says that Ministers will now come to report to the House when there are any significant differences in the free trade agreements we have as a member of the EU that will be rolled over. Apparently the agreements will be cut and pasted, and it was only at last year’s Conservative party conference that the Secretary of State for International Trade himself promised that, one second after midnight, all 40 agreements will be rolled over and available from March 2019. Well, it has not quite been going his way, because the Government have not got a single other jurisdiction to sign up legally to doing that.
3.15 pm

In fact, many of the countries with which the UK enjoys free trade agreements by virtue of its membership of the EU customs union are now starting to say, “Well, we would quite like a few significant changes.” South Africa has indicated that it wants to use this opportunity to weave in a few differences—if it is to do a fresh agreement with the UK alone, maybe this is a chance to look at some particular issues. South Korea has done the same.

I challenge the Government to answer how they will roll over so simply the cut-and-paste free trade agreement we have with Turkey. Of course, in essence we enjoy a customs union with Turkey by virtue of our membership of the EU. Cutting and pasting our relationship with Turkey? Good luck with that one.

Our membership of these 40 free trade areas would be far safer if we remained a member of a customs union, which is of course the subject of new clause 18, to which my name has been added. I want to make sure the House has a chance to vote on new clause 18, although it is in a later group, because while providing a chance for the Government to try to get their way on the Chequers agreement for a free trade area on goods, there would be a customs union safety net in place if that did not work. We want to make sure the House has an opportunity to debate new clause 18.

The hon. Member for Gloucester (Richard Graham) referenced new clause 17, which would similarly provide a safety net for the regulatory framework we currently enjoy for medicines. Some 45 million packets of medicines go between the UK and the EU every month. New clause 17 was tabled by the hon. Member. Member for Bracknell (Dr Lee), and my name is on it, too. I hope we can press the amendment to a vote.

Today is the day that the European Union signs its free trade agreement with Japan. The UK is now benefiting, by virtue of our membership of the EU customs union, from a free trade zone with Japan that covers a third of the world’s GDP. By taking some of the decisions we might be taking to leave a customs union, we are putting at risk our stable and frictionless trade capacity with the EU, and now also with that wider part of the world. I hope we can stay in that arrangement and protect the jobs and livelihoods of our constituents.

Several hon. Members rose—

Mr Speaker: Greg Hands, you have three minutes.

Greg Hands: I welcome the return of the Bill to the House and, perhaps not surprisingly, I support the Government’s approach, having been the Minister responsible for the Bill until about three weeks ago. I commend the approach taken by my successor in moving a number of these issues forward, particularly in his discussions with my hon. Friend the Member for Huntingdon (Mr Djanogly).

Parliamentary scrutiny is crucial for trade agreements, and we have seen the difficulties in recent years with trade agreements that have been insufficiently scrutinised, or where there was a feeling that there had been insufficient scrutiny—the Transatlantic Trade and Investment Partnership perhaps being the most important example.

I very much welcome the Secretary of State’s proposals yesterday for the scrutiny of new trade agreements. Returning to where we started, it is vital to distinguish between the 40-plus existing EU trade agreements and what may happen for future agreements. No one should underestimate the importance of those EU agreements. With Japan being in scope, too, the volume of our trade that is done with countries for which there is an EU trade agreement—that is not the same as saying the volume of trade that is dependent on those agreements—rises to around 16%, which is an incredibly important part of our trade. As we know, none of these countries is in principle opposed to doing and rolling over these agreements. I have had productive talks with South Korea and South Africa, as I am sure my successor has. Various memorandums have been signed agreeing to transition these agreements. So I refer anybody who says that these countries have problems doing that to those agreements that were signed, for example, the one signed with the South African Trade Minister, Rob Davies.

I welcome the approach taken by my hon. Friend the Member for Huntingdon and his agreement that we are now satisfied with and have coalesced around new clauses 12, 13 and 14. We are always trying to get a balance between ensuring that any significant change to a trade agreement is scrutinised by Parliament and not creating a laborious and cumbersome procedure that would potentially jeopardise the future of one or more of those 40-plus agreements. I am delighted that we seem to have reached that agreement. I have visited businesses that are directly impacted by some of these agreements, including the Ford factory just outside Johannesburg, which is very dependent on the EU-South African Development Community agreement, in terms not just of taking components for vehicles from the UK to South Africa, but exporting finished vehicles to the EU. The business voice is very much saying that it wants these agreements to continue—that is business’s principal concern.

Finally, I wish to argue against new clauses 3 and 16, and other proposals that seek to legislate now for future trade agreements. It is only fair that we look at the proposals made by the Secretary of State yesterday in this House and do not prejudge them by passing legislation today, as it would have an impact on future trade agreements. We must make sure we listen to all voices, so that they are included in consideration of where we take future trade agreements.

Several hon. Members rose—

Mr Speaker: Order. I want to call the Minister to wind up at 3.25 pm, and I hope that the hon. Member for Bath (Wera Hobhouse) will take account of that.

Wera Hobhouse (Bath) (LD): Thank you, Mr Speaker. This Bill would not be needed if we remained in the customs union. The Government are repeating, like an old record, that, “Leaving the EU will transform us into global Britain, striking trade deals around the world.” While striking them, we just carry over existing deals.” How realistic is that? Outside the EU, Britain is a much less attractive trading partner. Businesses invest in Britain because we are an entry point to the European market and the single market. Is it reasonable to think that the
UK can negotiate alone the same deals it can when part of a bloc of 28 countries? Although some countries have indicated they are prepared to copy and paste over existing deals, others will be watching and waiting, reserving judgment to see exactly what access the UK will have to the EU after Brexit. For that reason, we simply cannot accept that existing trade deals will be copied and pasted; significant changes will come along.

I am pleased that the Government have recognised that Parliament needs some say in the matter by tabling amendment 75 and accepting my amendment 4. However, the Government’s understanding of parliamentary democracy remains pretty poor. Amendment 75 allows MPs to approve, by affirmative statutory instrument, any changes in the law required by one of these continuity deals. It is a take-it-or-leave-it vote. It is not amendable and it is not meaningful. That is why the Government need to meet the concern raised in new clause 3, which stands in the name of the hon. Member for Brighton, Pavilion (Caroline Lucas) and which I support. People voted leave for different reasons, but nobody voted to make themselves poorer, to lose their job or to have food and product safety standards thrown out the back door.

With your permission, Mr Speaker, let me just say something about new clause 2, which is in the final group. The Government must be honest about the impact of any trade deals they sign and Parliament must be able to scrutinise this. The Tory leavers say, “Brexit is the will of the people”, but the Tories are in disarray, trying to work out among themselves what the will of the people actually is. As the chaos and confusion grows, it is time that more Members, on both sides of the House, joined the Liberal Democrats in supporting a people’s vote on the deal. We need to be honest with our constituents about the economic realities of Brexit and then give the people a final say on the deal.

George Hollingbery: I shall try to be brief, Mr Speaker. I thank the Opposition spokesman for his remarks, but I am going to limit my comments in return to saying that I am very disappointed that Labour Front Benchers could not welcome what is undeniably a good and robust scrutiny arrangement. We have hugely improved the position. The House will now have adequate and deep opportunity to challenge the Government’s proposals on any transitioned free trade agreement, and I just think it was a shame they could not say so.

The hon. Member for Dundee East (Stewart Hosie) knows very well that this Bill is about the continuity of existing arrangements. The Secretary of State yesterday set out our approach to new trade arrangements in the House, with plans for extensive public consultation, continuous parliamentary engagement and the setting up of the strategic trade advisory group, and clear plans for engagement with the devolved authorities, civil sector and civil society more generally.

My hon. Friend the Member for Huntingdon (Mr Djanogly) asked several questions. I very much welcome his comments on our discussions and the fact that he is prepared to accept our amendments today. I can confirm that not all transitioned agreements will need clause 2 powers to implement changes. I can further confirm that it is not the intention to use powers in clause 2 to implement a transitioned free trade agreement more than once, although of course these will need to remain operable over time. In relation to the clause 2 power, “exceptional” is modelled on the Constitutional Reform and Governance Act 2010 process. The threshold is high and the flexibility provided is simply a matter of prudence. Finally, he asked for reassurance about powers in the European Union (Withdrawal) Act 2018. That Act allows regulations to be made that deal with matters arising from the UK’s exit from the European Union. The implementation of or transition to free trade agreements is not such a matter, so we cannot use that Act for the purpose of implementing a free trade agreement.

The hon. Member for Dundee East (Stewart Hosie) will know only too well that the Bill is about continuity: it is about not our future arrangements but our current arrangements. Yesterday, the Secretary of State comprehensively laid out our plans. We are committed to working with the devolved Administrations on our approach to the implementation of trade agreements that are signed after we have exited the EU, and they will also have a role in shaping the UK’s future trade negotiations. The Department held a successful deep dive on trade with devolved authorities in March 2018. A major outcome of that was the joint agreement on a regularised senior officials meeting to take place every six weeks between the Department and the devolved authorities. A detailed rolling programme of policy and market-focused roundtables will take place over the rest of 2018. Beyond that, the hon. Gentleman has the reassurances that the Secretary of State gave yesterday on the devolved authorities’ participation. I hope that that at least gives him confidence that the Government are serious about their wish to negotiate with devolved authorities.

Caroline Lucas: Will the Minister give way?

George Hollingbery: No, I am afraid I will not.

Finally, I thank my right hon. Friend the Member for Chelsea and Fulham (Greg Hands); my hon. Friends the Members for Chichester (Gillian Keegan) and for Gloucester (Richard Graham); and the hon. Members for Swansea West (Geraint Davies), for Nottingham East (Mr Leslie) and for Bath (Wera Hobhouse) for their contributions to the debate.

Question put and agreed to.

New clause 12 accordingly read a Second time, and added to the Bill.

New Clause 13

REPORTING REQUIREMENT NOT TO APPLY IN EXCEPTIONAL CASES

“(1) Section (Report on proposed free trade agreement) does not apply to a free trade agreement if a Minister of the Crown is of the opinion that, exceptionally, the agreement needs to be ratified without laying before Parliament a report which meets the requirements of subsection (3) of that section.

(2) If a Minister determines that a free trade agreement is to be ratified without laying before Parliament a report which meets the requirements of section (Report on proposed free trade agreement)(3), the Minister must, as soon as practicable after the agreement is ratified, lay before Parliament—

(a) a report which meets those requirements, and

(b) a statement indicating that the Minister is of the opinion mentioned in subsection (1) and explaining why.”—(George Hollingbery.)

See Member’s explanatory statement for NC12.

Brought up, read the First and Second time, and added to the Bill.
New Clause 14

REPORT TO BE LAID WITH REGULATIONS UNDER SECTION 2(1)

“(1) This section applies where a Minister of the Crown proposes to make regulations under section 2(1) for the purpose of implementing a free trade agreement to which the United Kingdom and another signatory (or other signatories) are signatories.

(2) A draft of the statutory instrument containing the regulations may not be laid before Parliament unless, at least 10 Commons sitting days before the draft is laid, a Minister of the Crown has laid before Parliament a report which gives details of, and explains the reasons for, any significant differences between—

(a) the trade-related provisions of the free trade agreement to which the United Kingdom and the other signatory (or other signatories) are signatories, and

(b) the trade-related provisions of the existing free trade agreement.

(3) Subsection (2) does not apply if, at least 10 Commons sitting days before a draft of the statutory instrument containing the regulations is laid, a report in relation to the agreement has been laid before Parliament under section (Report on proposed free trade agreement)(3).

(4) In this section—

‘Commons sitting day’ means a day on which the House of Commons begins to sit;

‘the existing free trade agreement’ means the free trade agreement to which the European Union and the other signatory (or other signatories)—

(a) were signatories immediately before exit day, or

(b) where the report is laid before Parliament before exit day, are signatories on the day the report is laid before Parliament;

the ‘trade-related provisions’ of a free trade agreement are the provisions of the agreement that mainly relate to trade.”—(George Hollingbery.)

This new clause requires a Minister to lay a report before Parliament at least 10 Commons sitting days before regulations implementing a new free trade agreement are laid in draft under clause 2(1). The report is required to explain any significant differences between the new agreement and the existing agreement with the EU. The duty to lay a report does not apply if a report on the agreement has already been laid under NC12.

Brought up, read the First and Second time, and added to the Bill.

New Clause 3

FREE TRADE AGREEMENTS: PARLIAMENTARY SCRUTINY AND CONSENT

“(1) The Secretary of State shall not commence negotiations relating to a free trade agreement unless—

(a) a Minister of the Crown has laid before Parliament a sustainability impact assessment conducted by a credible body independent of government following consultation with—

(i) each devolved authority,

(ii) public bodies, businesses, trade unions and non-governmental organisations which, in the opinion of the Minister, have a relevant interest, and

(iii) the public,

and the assessment shall include both qualitative and quantitative assessments of the potential impacts of the proposed trade agreement, including social, economic, environmental, gender, human rights, labour, development and regional impacts,

(b) a Minister of the Crown has laid before Parliament a draft of a negotiating mandate relating to the proposed trade agreement, setting out—

(i) all fields and sectors to be included in the proposed negotiations,

(ii) the principles to underpin the proposed negotiations,

(iii) any limits on the proposed negotiations, and

(iv) the desired outcomes from the proposed negotiations, and

(c) the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out a proposed negotiating mandate and authorising the Secretary of State to enter negotiations on the proposed trade agreement on the basis of that mandate, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons.

(2) The United Kingdom may not become a signatory to a free trade agreement unless—

(a) during the course of the negotiations, the text of the trade agreement as so far agreed or consolidated has been made publicly available within ten working days of the close of each negotiating round,

(b) between each round of negotiations, all documents relating to the negotiations have been made available for scrutiny by select committees in both Houses of Parliament,

(c) upon conclusion of the negotiations, the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out the text of the trade agreement as negotiated and authorising the Secretary of State to sign the proposed agreement, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons, and

(d) the text of the trade agreement includes provision for a review of the operation and impacts of the agreement no later than ten years after the day on which the agreement comes into force.”—(Caroline Lucas.)

This new clause would ensure that all new free trade agreements are subject to parliamentary scrutiny and consent.

Brought up, and read the First time.

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

The House divided: Ayes 284, Noes 314.

Division No. 216

AYES

[3.29 pm]

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonya
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
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
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
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Cowan, Ronnie
Tellers for the Ayes: Tom Brake and Marion Fellows

NOES

Adams, Nigel
Afidi, Bim
Afridi, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Sir Richard
Badenoch, Mrs Kemi
Baker, Sir Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, Rh Richard
Beresford, Sir Paul

Smith, Angela
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, Rh John
Starmer, Rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thompson, Rh Emily
Timms, Rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
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 Ayes:

Zeichner, Daniel
Yasin, Mohammad
Woodcock, John
Brady, Ben
Bradley, Steve
Bridgen, Andrew
Bridgen, Andrew
Browne, Mrs Sarah
Brown, Mr Peter
Bottomley, Sir Peter
Bowen, Andrew
Bowles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowen, Andrew
Bowles, Nick
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Donaldson, Sir Jeffrey
Dodds, rh Nigel
Docherty, Leo
Dockerty, Leo
Dodd, rh Nigel
Donaldson, Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Davies, Tracey
Davies, Chris
Davies, David T. C.
Davies, Gwenda
Davies, Rhodri
Dinenage, Caroline
Djanogly, Mr Jonathan
Doyle, Mr Christopher

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, Mr Rhys
Maynard, Paul
McCoughlin, Sir Patrick
McPartland, Stephen
McVey, Rh Ms Esther
Menzies, Mark
Morton, Sam
Morris, David
Morris, Tobias
Morgan, Rh
Morgan, Nicky
Morris, Anne Marie
Morrison, David
Morris, James
Morton, Wendy
Mundell, Rh
Murray, Rh
Neill, Robert
Newton, Sarah
Nokes, Rh
Nokes, Rh
Norman, Jesse
O'Brien, Neil
Oford, Rh
Paisley, Ian
Parish, Neil
Patel, Rh
Paterson, Rh
Owen, Rh
Pawsey, Mark
Penning, Rh
Penrose, John
Percy, Andrew
Perry, Rh
Philip, Chris
Pinner, Rh
Poulter, Rh
Pow, Rebecca
Prentis, Victoria
Prisk, Rh
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Rh
Rees-Mogg, Mr Jacob
Robertson, Rh
Robinson, Rh
Robinson, Rh
Ross, Rh
Rowley, Lee
Rudd, Rh
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, Rh
Sharma, Akol
Shelbrooke, Alec
Simpson, David
Simpson, Rh
Smith, Rh
Smith, Henry
Smith, Rh
Smith, Rh
Soames, Rh
Soubry, Rh
Speelman, Rh
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Rh
Stuart, Rory
Strier, Mr Gary
Stride, Mr
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, Rh
Swire, Rh
Syms, Rh
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tomlinson, Justin
Tomlinson, Rh
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, Rh
Vaizey, Rh
Vara, Mr
Vickers, Martin
Villiers, Rh
Walker, Mr
Walker, Rh
Wallace, Rh
Warburton, David
Warman, Matt
Watling, Giles
Watheley, Helen
Wheelbarrow, Rh
Whittaker, Craig
Whittingdale, Rh
Wiggin, Bill
Williamson, Rh
Wilson, Rh
Wollaston, Dr Sarah
Wood, Mike
Wrang, Rh
Wright, Rh
Zahawi, Nadhim

Tellers for the Noes: Kelly Tolhurst and Mims Davies

Question accordingly negatived.
New Clause 20

Approval of Negotiating Mandates (Devolved Authorities)

“(1) No negotiation towards an agreement that falls within section 2(2) shall take place unless—

(a) a draft negotiating mandate in respect of that agreement has been laid before—

(i) a committee including representatives from each devolved authority and constituted for the purpose of considering the draft, and

(ii) each devolved legislature, and

(b) the draft negotiating mandate has been approved by resolution of—

(i) the committee constituted under (1)(a)(i) and

(ii) each devolved legislature.

(2) The committee in (1) shall be called the “Joint Ministerial Committee on Trade” (“JMCT”) and—

(a) may not approve a draft mandate other than by consensus,

(b) shall have the power to make its own standing orders,

(c) may include a Minister of the Crown or representative thereof,

(d) may be consulted on a draft mandate before it is finalised (but in such a case must also approve the finalised version), and

(e) shall only include a representative of a devolved authority if that representative has been appointed by the relevant devolved executive.

(3) The “devolved legislatures” are—

(a) the Scottish Parliament,

(b) the Welsh Assembly, and

(c) the Northern Ireland Assembly.

(4) The devolved legislatures shall approve the draft mandate according to their own standing orders.

(5) If the negotiating mandate changes substantively during the process of negotiations then negotiations shall not proceed until the revised mandate has been approved by the JMCT.

(6) Each person who is—

(a) a member of the JMCT, or

(b) a Minister of the Crown

must co-operate with every other person who is within subsection (a), or (b) in any activity that relates to the drafting of a negotiating mandate as referred to in subsection (1).

(7) In particular, the duty imposed by subsection (6) requires a person—

(a) to engage constructively, actively, and on an ongoing basis in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared; and

(b) to have regard to representations by any member of the JMCT or of a devolved executive in any process by means of which a negotiating mandate as referred to in subsection (1) is prepared.

(8) The “devolved executives” are—

(a) the Scottish Government,

(b) the Welsh Government, and

(c) the Northern Ireland Executive.”—(Stewart Hosie.)
This amendment is consequential on Amendment 75.

"a draft of the regulations is laid".
Amendment 39, page 2, line 29, leave out “the regulations are made” and insert “a draft of the regulations is laid”.

This amendment is consequential on Amendment 75.

Amendment 42, page 2, line 37, at end insert—

“(6A) In this section, a reference to a draft of the regulations to which paragraph 3A(4) of Schedule 2 applies (regulations of a Northern Ireland department) shall be read as a reference to the regulations (in the form approved by Her Majesty’s Government) which replace the regulations to which that paragraph applies (regulations of the Northern Ireland Assembly).”—(George Hollingbery.)

This amendment is consequential on Amendment 75.

Amendment proposed: 19, page 2, line 40, at end insert—

“(a) No regulations may be made under subsection (1) in respect of a free trade agreement unless the text of that agreement has been subject to consultation prior to its ratification by Parliament, in line with any guidance or code of practice issued by Her Majesty’s Government.

(b) A consultation under paragraph (a) shall actively seek the views of—

(i) Scottish Ministers,

(ii) Welsh Ministers,

(iii) a Northern Ireland department,

(iv) representatives of businesses and trade unions in sectors which, in the opinion of the Secretary of State, are likely to be affected by the proposed free trade agreement, and

(v) any other person or organisation which appears to the Secretary of State to be representative of interests affected by the proposed free trade agreement, including local authorities.”—(Barry Gardiner.)

This amendment would require the Government to have published the text of each UK free trade agreement and opened it to consultation with business, trade unions, the devolved administrations and other parties prior to its ratification.

Question put, That the amendment be made.

The House divided: Ayes 285, Noes 315.

Division No. 218] 

AYES

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amess, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana
Bets, Mr Clive
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Braczyk, Traci
Branch, Kevin
Brock, Deirdre
Brown, Alan
Brown, Lyn
Brown, Vernon
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
Garden, 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
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debono, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, rh Miss Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Dame Louise
Esterson, Bill
Evans, Chris
Farrellly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Finty, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furness, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patrick
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
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Heron, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kevin
Hosie, Stewart
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, Alzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laid, 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, rh Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Lucas, Caroline
Lynch, Holly
MacNeill, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
**Tellers for the Ayes:**

**Chris Elmore and Jeff Smith**

- Blunt, Crispin
- 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, Connor
- 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, rh Mr Kenneth
- Clarke, Mr Simon
- Cleverly, James
- Clifton-Brown, Sir Geoffrey
- Coffey, Dr Thérèse
- Costa, Alberto
- Courts, Robert
- Cox, rh Mr Geoffrey
- Crabb, rh Stephen
- Crouch, Tracey
- Davies, Chris
- Davies, David T. C.
- Davies, Glyn
- Davis, rh Mr David
- Dinenage, Caroline
- Djanogly, Mr Jonathan
- Docherty, Leo
- Dodds, rh Nigel
- Donaldson, 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
- Elphicke, 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
- Fraser, Lucy

**NOES**

- 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
- Freeman, George
- Freer, Mike
- Fysh, Mr Marcus
- Gale, Sir Roger
- Garnier, Mark
- Gauke, rh Mr David
- Ghani, Ms Nusarat
- 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
- Grayling, rh Chris
- Green, Chris
- Green, rh Damian
- Greening, rh Justine
- Grieve, rh Mr Dominic
- Griffiths, Andrew
- Glyn, Mr Sam
- Hair, Kirstene
- Halton, rh Robert
- Hall, Luke
- Hammond, rh Mr Philip
- Hammond, Stephen
- Hancock, rh Matt
- Hands, rh Greg
- Harper, rh Mr Mark
- Harrington, Richard
- Harris, Rebecca
- Harrison, Trudy
- Hart, Simon
- Hayes, rh Mr John
- Heald, rh Sir Oliver
- Heappey, James
- Heathon-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
- Jennick, 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
Toby Perkins (Chesterfield) (Lab): On a point of order, Mr Speaker. There is a great deal of concern across Parliament about the mysterious disappearance of the right hon. Member for Twickenham (Sir Vince Cable). He has been missing since last night. This morning, he was texting about being the only person really fighting Brexit. I just wonder if you and the parliamentary authorities could ascertain his whereabouts and whether he is indeed safe, and report back to me and all those people who are so concerned.

Mr Speaker: I would not want to take upon my shoulders such a major responsibility. I must advise the hon. Gentleman that I wish all the best to the right hon. Member for Twickenham (Sir Vince Cable). I have no reason to be perturbed on his account. I am not aware that he is indisposed, and I very much hope that he is not. The right hon. Member for Carshalton and Wallington (Tom Brake) is beaming in a mildly eccentric manner from a sedentary position.

Tom Brake: Further to that point of order, Mr Speaker. Thank you for letting me raise this. On the same subject, have you had any concerns raised with you about the absence of the Leader of the Opposition in relation to fighting against Brexit for the past two years? Has anyone shared any concerns that they may have on that score?

Mr Speaker: I am not concerned unduly about either matter. They do not fall within the auspices of the Chair, but the point has been made by each right hon. and hon. Member. And I trust that we can leave it there.

Schedule 2

REGULATIONS UNDER PART 1

Amendments made: 4, page 12, line 5, leave out “or 2(1)”. Amendment 71, page 12, line 7, leave out “or 2(1)”. This amendment is consequential on Amendment 75. Amendment 72, page 12, line 11, leave out “or 2(1)”. This amendment is consequential on Amendment 75. Amendment 73, page 12, line 13, leave out “or 2(1)”. This amendment is consequential on Amendment 75. Amendment 74, page 12, line 20, leave out “or 2(1)”. This amendment is consequential on Amendment 75. Amendment 75, page 13, line 30, at end insert—

PART 2A

SCRUTINY OF REGULATIONS UNDER SECTION 2(1)

Scrubuty of regulations made by Minister of the Crown or devolved authority acting alone

“3A (1) A statutory instrument containing regulations of a Minister of the Crown under section 2(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(2) Regulations of the Scottish Ministers under section 2(1) are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).
(3) A statutory instrument containing regulations of the Welsh Ministers under section 2(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(4) Regulations of a Northern Ireland department under section 2(1) may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

(5) This paragraph does not apply to regulations to which paragraph 3B applies.

Seretary of regulations made by Minister of the Crown and devolved authority acting jointly

3B (1) This paragraph applies to regulations of a Minister of the Crown acting jointly with a devolved authority under section 2(1).

2) The procedure provided for by sub-paragraph (3) applies in relation to regulations to which this paragraph applies as well as any other procedure provided for by this paragraph which is applicable in relation to the regulations concerned.

(3) A statutory instrument which contains regulations to which this paragraph applies may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(4) Regulations to which this paragraph applies which are made jointly with the Scottish Ministers are subject to the affirmative procedure.

(5) Section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) (affirmative procedure) applies in relation to regulations to which sub-paragraph (4) applies as it applies in relation to devolved subordinate legislation (within the meaning of Part 2 of that Act) which is subject to the affirmative procedure (but as if references to a Scottish statutory instrument were references to a statutory instrument).

(6) Section 32 of the Interpretation and Legislative Reform (Scotland) Act 2010 (laying) applies in relation to the laying before the Scottish Parliament of a statutory instrument containing regulations to which sub-paragraph (4) applies as it applies in relation to the laying before the Scottish Parliament of a Scottish statutory instrument (within the meaning of Part 2 of that Act).

(7) A statutory instrument containing regulations to which this paragraph applies which are made jointly with the Welsh Ministers may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(8) Regulations to which this paragraph applies which are made jointly with a Northern Ireland department may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly."

"—(George Hollings.)"

This new clause would ensure that regulations made by a Minister of the Crown within devolved competence require the consent of Ministers in devolved authorities in accordance with the convention about Parliament legislating on devolved matters while making clear that this does not alter the current powers of Ministers of the Crown in respect of international agreements.

Brought up, and read the First time.

4.15 pm

Barry Gardiner (Brent North) (Lab): 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 21—Right of devolved authorities to appoint negotiators.

“(1) Each devolved authority shall have the right to appoint one member of any delegation tasked with negotiating an agreement with another state on behalf of the UK if that agreement falls within section 2(2).

(2) A devolved authority shall not make an appointment under subsection (1) unless the person appointed is reasonably competent to carry out the role of a trade negotiator.”

This new clause would permit the devolved authorities to each appoint one member of any negotiating delegation and would ensure that the person appointed is competent to carry out the role.

Amendment 25, in clause 1, page 1, line 15, at end insert—

“(1A) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), unless the Scottish Ministers consent.

(1B) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Welsh Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 8 of Schedule 1), the Scottish Ministers consent, or

(b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), the Welsh Ministers consent, or

(c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning given in paragraph 9 of Schedule 1), unless the Northern Ireland department has given consent.

(2) Regulations made under section 2(1) by a Minister of the Crown, may not normally make provision which would be within the devolved competence of a devolved authority unless—

(a) so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), the Scottish Ministers consent, or

(b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), the Welsh Ministers consent, or

(c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning given in paragraph 9 of Schedule 1), unless the Northern Ireland department has given consent.

(3) This paragraph does not apply to regulations made by the Secretary of State under—

(a) section 35 or 58 of the Scotland Act 1998 (as amended),

(b) section 82 or 114 of the Government of Wales Act 2006 (as amended), or

(c) section 25 or 26 of the Northern Ireland Act 1998 (as amended)."

—Barry Gardiner.

This new clause would ensure that regulations made by a Minister of the Crown within devolved competence require the consent of Ministers in devolved authorities in accordance with the convention about Parliament legislating on devolved matters while making clear that this does not alter the current powers of Ministers of the Crown in respect of international agreements.

Brought up, and read the First time.
Ministers (within the meaning given in paragraph 8 of Schedule 1), unless the Welsh Ministers consent.”

This amendment and Amendment 26 seek to ensure that regulations cannot be made without consent from devolved Ministers.

Amendment 26, in clause 2, page 2, line 40, at end insert—

“(7A) No regulations may be made under subsection (1) by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), unless the Scottish Ministers consent.

(7B) No regulations may be made under subsection (1) by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), unless the Welsh Ministers consent.

See explanatory statement for Amendment 25.

Amendment 27, in clause 2, page 3, line 3, at end insert—

“(10) No regulations may be made under subsection (8)(b) unless the Secretary of State has consulted with the Scottish Ministers and the Welsh Ministers.”

This amendment would require the Secretary of State to consult with Scottish Ministers and Welsh Ministers before making regulations to be commenced before exit day, or regulations making provision about quota arrangements, with a requirement to consult.

Government amendments 49, 50 and 61 to 63.

Amendment 28, in schedule 1, page 7, line 24, at end insert—

“(4) This paragraph does not apply to regulations made under section 1(1) or 2(1) by the Scottish Ministers or the Welsh Ministers.”

This amendment would remove the constraints on Scottish and Welsh Ministers in making regulations under this Act which modify retained EU law.

Government amendments 64 to 67.

Amendment 29, in schedule 1, page 8, line 5, at end insert—

“(4) This paragraph does not apply to regulations made under section 1(1) or 2(1) by the Scottish Ministers or the Welsh Ministers.

Requirement for consultation in certain circumstances

3A (1) No regulations may be made by the Scottish Ministers or the Welsh Ministers acting alone under section 1(1) or 2(1) so far as the regulations are to come into force before exit day unless the regulations are, to that extent, made after consulting with a Minister of the Crown.

(2) No regulations may be made by the Scottish Ministers or the Welsh Ministers acting alone under section 2(1) so far as the regulations make provision about any quota arrangements or are incompatible with any such arrangements unless the regulations are, to that extent, made after consulting with a Minister of the Crown.

(3) In sub-paragraph (2) ‘quota arrangements’ has the same meaning as in paragraph 3.”

This amendment would follow amendments made to the EU (Withdrawal) Bill to replace a requirement to seek the consent of the UK Ministers before making regulations to be commenced before exit day, or regulations making provision about quota arrangements, with a requirement to consult.

Government amendments 68, 69 and 76 to 78.

Barry Gardiner: I rise to speak to new clause 4, which stands in my name and those of my right hon. and hon. Friends.

The extent to which the Bill encroaches on matters of devolved competence and undermines the power of devolved authorities is of particular concern. I am proud that it was a Labour Government who delivered the devolution settlements. They were established with a presumption of full devolution, except in matters considered reserved to the Government of the United Kingdom. Indeed, amendments to devolution legislation contained in the Scotland Act 2016 and the Wales Act 2017 specifically put that presumption on to a legislative footing, stipulating that Ministers would not legislate on matters that fell within devolved competence without “normally” seeking the consent of the appropriate devolved Government. However, the Bill seeks to do exactly that.

The Public Bill Committee heard in great detail the serious consequences the Bill would have for the United Kingdom and each of the devolved nations and their respective Administrations.

Stewart Hosie: Will the hon. Gentleman give way?

Barry Gardiner: A little later.

Certainly, my good friend the shadow Secretary of State for Scotland has impressed on me the deficiencies of the Government’s approach, and it is with her strong advice that I have sought, in consultation with the shadow Secretaries of State for Wales and Northern Ireland, to propose a strong new clause that absolutely and even-handedly respects the devolution settlements and the Sewel convention.

Stewart Hosie: Will the hon. Gentleman give way?

Barry Gardiner: Once I have explained a little bit about what new clause 4 would do, I will happily give way to the hon. Gentleman.

The provisions in clauses 1 and 2, taken with the Government’s latest amendment 34, would allow the Government in Westminster to use Henry VIII powers to modify primary legislation or retain direct EU legislation in areas of devolved competence, such as procurement, agriculture and food standards, without the consent of the relevant devolved authority—even without any consultation. That goes far beyond the convention of not “normally” legislating in matters of devolved competence without such consent.

Just as the Government have erred on one side by proposing in the Bill a disrespectful power grab downwards into areas of devolved competence, so the Scottish National party, in seeking to amend the Bill, have erred in the other direction by failing to respect the boundaries of the devolution settlement and seeking a power of veto and co-decision making in matters that were always reserved to the United Kingdom sovereign Parliament. We must be clear that international trade is a matter of exclusive competence of the UK Government. At no stage has any devolved authority had any competence in respect of matters of international trade, but I will deal with the Government’s amendments first.

Modern trade agreements are so complex and so extensive that there are areas where matters of trade competence do cross over into matters that would otherwise be devolved competence: food standards, animal welfare standards, access to fishing waters, determination of regulatory and oversight bodies, and so on. All these are the substance of international trade agreements,
and where such agreements have been negotiated, a devolved authority is entirely right to consider that its consent must be sought prior to regulations to implement the agreement on such matters being made in accordance with the powers in the Bill.

That the Bill allows for Ministers to act in contravention of that convention and without seeking consent from or even consulting the relevant devolved authority is precisely why neither the Welsh nor the Scottish Government have agreed to give the Bill their legislative consent. That is why Labour said in Committee that it would table an amendment to require the convention to be observed, while ensuring that no power of veto was afforded to a devolved Government on matters that were the exclusive competence of Her Majesty’s Government.

**Stewart Hosie:** Will the hon. Gentleman give way?

**Barry Gardiner:** I am just about at the point where I will.

Our new clause 4 would achieve this by setting out that normally the Government must seek the consent of the devolved Governments before making such regulations, ensuring that the convention is protected in the Bill, while similarly allowing the Government to use existing powers where a devolved Government act or—importantly—fail to act in such a way that ensures the UK is in compliance with its legally binding obligations arising from an international trade agreement.

**Stewart Hosie:** The hon. Gentleman is getting this completely wrong. The Scottish Government do not want a veto; the Scottish National party does not want a veto. We recognise that trade is a reserved matter. Our amendments simply say that Scottish Ministers should be consulted, or their consent sought, when UK policy intersects with devolved policy. This is not a veto on a reserved matter. It is common sense. It is equality—it is parity—in respect of implications for devolved matters. Labour Members should go back to the drawing board, because they are simply getting it wrong.

**Barry Gardiner:** I note the hon. Gentleman’s objections. We clearly have a different view of the nature of the devolution settlement. I will try to take his amendments in turn and explain to him precisely why I believe that he is mistaken.

Let us imagine circumstances in which a devolved Administration simply failed to introduce implementing regulation to an aspect of a trade treaty that that Administration did not like. It would be the UK Government, not the devolved Administration, who were held to be in breach and subject to any penalties that might be imposed. That is why the relevant devolution Acts provide that—not “normally”—but in such exceptional circumstances—the UK could implement such regulations without consent to ensure that the UK complied with its international obligations.

Of course, other amendments have been tabled on these issues. New clause 20, tabled by SNP Members, calls for the devolved authorities to have a right to vote on whether Her Majesty’s Government may exercise what is currently the Government’s exclusive competence to begin trade talks. Our new clause states that negotiating mandates should be formulated transparently and with formal engagement with key stakeholders, including the devolved authorities. However, a right of veto on whether trade talks can begin is a power that no legislature in the country—including the House of Commons—currently has, and it would constitute a substantial new power for the devolved authorities.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): My hon. Friend’s definition of a veto seems to be disputed by the Scottish National party. Does he agree that, in terms of initiating as well as ratifying any trade negotiations, if the Scottish Parliament withholds its consent, that is, in effect, a veto?

**Barry Gardiner:** My hon. Friend has put it very succinctly, and he is absolutely correct. That is why the SNP’s new clause 20 does not respect the devolution agreements; nor is it about ensuring that devolved authorities have a say. If that were the case, I would have expected SNP Members to support the amendment that we tabled in Committee, which called for the Joint Ministerial Committee to be convened to consult on the implementation of regulations under the Bill and on negotiations on future trade agreements. Indeed, our new amendment 19 would ensure that such consultation frameworks are established.

Similarly, in new clause 21, the SNP has sought to ensure that each devolved authority takes aspects of trade competence from Her Majesty’s Government and to provide for devolved authorities to have their own appointed trade negotiators at trade talks. Our new clause 4 could not do not support that, because it could ultimately lead to several trade negotiators working against each other to secure the best terms only for their respective territories. Such a bunfight at the negotiating table would allow negotiating partners to play our own negotiators off against each other.

We believe that trade deals must ensure that benefits are delivered across the United Kingdom and that a whole UK approach must be taken to negotiations. That is why we have called for advanced consultation to ensure full and proper representation in those negotiations. It is also why we would have been happy to support new clause 22 had it been put to the vote. It sought to ensure transparency on trade talks, and it would have afforded a right to the devolved Parliaments to scrutinise all aspects of a trade agreement and related correspondence or documents as they so required.

Our new clause 4 would absolutely guarantee the right of consent to devolved Administrations whenever a Government sought to implement regulations to carry out their obligations under international treaties. What it would not do is give the devolved Administrations a power of veto over the ratification of international treaties, the negotiation of which is a matter for the Westminster Government. SNP Members would seek to secure the ultimate power of veto that has thus far eluded them in other amendments and that they have been very clear about seeking.

**Angus Brendan MacNeil:** Will the hon. Gentleman give way?

**Barry Gardiner:** I am pressed for time. I know that you want me to conclude my remarks very shortly, Madam Deputy Speaker.
While other amendments are about consent before the making of regulations implementing obligations arising under a trade agreement, that clause would prevent the trade agreement from ever having legal effect, as it could not be ratified unless the devolved authorities had consented. It has been carefully worded, but its intent is clear: it is not limited only to matters of devolved competence, but covers all trade agreements in their entirety even if no aspect of that agreement would touch on devolved competence and even if absolutely no regulations were required to implement that agreement. New clause 23(a)(b) would ensure that any trade agreement “having an impact within the territory over which the devolved authority presides” was subject to this consent power. Quite clearly, every single trade agreement will be, as there will be exporters across the UK who can trade under the terms of that agreement. It is a thinly veiled attempt at securing the Wallonian veto power that the hon. Member for Kilmarnock and Loudoun (Alan Brown) told us in the Committee was his intention.

The Committee took many more pieces of evidence. I will not detain the House with them today, but simply say that new clause 4 absolutely respects the devolution settlement. It sets out the right relationship so that Government cannot overreach into devolved competence nor the devolved authorities reach up into powers that are reserved for this sovereign Parliament.

I also support new clause 19, but I will not detain the House any longer.

Stewart Hosie: I shall speak to amendment 25 in my name and to amendments 26, 27, 28 and 29. New clause 21 is in this group, but I referred to it earlier so will not do so again now.

First, however, let me make an observation about the Labour party’s position. It seems to rely on the new form of words that the UK Government would not normally legislate or do this or that in relation to anything that was a devolved competence. If we were talking about normal, reasonable people in normal, sensible times when they did not interfere at all except in extremis, perhaps we could accept that. However, they have taken the Scottish Government to court to undermine a democratic decision of the Parliament, so, of course, we accept the principles of devolution, but to make them work there now must be formal arrangements and consent must be sought. We can no longer rely on the formulation of the UK Government not normally doing x, y or z.

Angus Brendan MacNeil: Does it not also show, sadly, a centrist approach from the Labour party, which cannot adopt the maturity of Trudeau’s Canada and scoffs at the fact that Belgium is not such a control-freak state and accepts the maturity of Trudeau’s Canada and scoffs at a centrist approach from the Labour party, which cannot adopt the principles of devolution, but to make them work there now must be formal arrangements and consent must be sought. We can no longer rely on the formulation of the UK Government not normally doing x, y or z.

Stewart Hosie: “International” only goes so far—perhaps just to the white cliffs of Dover.

The Trade Bill among other things ensures that the UK can implement any procurement obligations that arise from it being a member of the GPA—agreement on Government procurement—in its own right and ensures that agreements with partner countries corresponding to the EU’s free trade agreements are in place prior to Brexit. If that is all the Bill did, and it maintained all the rights and responsibilities, it might not be great, but it would make sense and probably go through on the nod. The problem is that it goes further than that; it carries on from the provisions in the EU withdrawal Bill limiting the actions of the Scottish Government and other devolved Administrations in areas that are, or ought to be, devolved, and—this goes to the first point about the GPA—that includes procurement.

That is why when the Scottish Government lodged a legislative consent motion in the Scottish Parliament initially, it explained their objections to the Trade Bill with the recommendation that Parliament could not consent to it being introduced. While they welcomed the powers being conferred on Scottish Ministers, the LCM made it clear that they could not accept the constraints placed on the use of those powers, which were analogous to those in the EU withdrawal Bill.

Legislative consent is required for part 1 of the Bill, but is not required for some of the other parts. Specifically, consent is required for the purposes within the devolved competence of the Parliament, which is that the Trade Bill seeks to maintain continuity in the UK’s trade and investment relationships through two implementation powers: implementation of the agreement on Government procurement as an independent member of the WTO; and assisting in the transition of current trade arrangements by enabling, so far as may be required, the implementation in UK domestic law of trade agreements the UK intends to conclude after withdrawal from the EU. These powers may be exercisable within devolved areas, and that is why this is important.

4.30 pm

The Bill also affects provisions altering and constraining the Executive competence of Scottish Ministers. That means that, as with the powers in the European Union (Withdrawal) Bill, UK Ministers are given powers, as are Scottish Ministers, in devolved areas, and that those powers are exercisable without any devolved consent being required. Therein lies the problem. We are not seeking a veto. We are not seeking anything different. We are simply seeking the same rights and responsibilities over devolved matters that UK Ministers are giving themselves. That is why we have tabled amendments 25 to 30, in order to remove some of the restrictions that are now in place.

John Redwood (Wokingham) (Con): I want to be able to understand whether this is a real problem. Can the hon. Gentleman give me a specific example of where he thinks the UK Government might assert a power that they should not assert, and how that might arise?

Stewart Hosie: That is a reasonable question, and I will answer it properly. Clearly we cannot tell precisely where the problems will arise, because we do not yet know precisely what the UK Government might do. Having said that, the Bill gives back to Ministers discretionary powers over procurement. In Scotland, because of the actions taken there, 78% of publicly procured contracts go to small and medium-sized enterprises, 60% to Scottish SMEs. The UK Government figure is 20%. If that power is taken back, and if oversight is retained by Westminster, there would be a real risk that we could lose that economic diversity and
that fantastic achievement in a real-life area. That is a real concern that I hope the right hon. Gentleman will share.

I shall turn briefly to the amendments. Amendments 25 and 26 seek to address an issue in the Bill that has a direct read-across to clauses in the European Union (Withdrawal) Act 2018 that confer powers on UK Ministers in devolved areas without any form of devolved consent. No amendments have been made to the Act to alter that approach or to require the consent of Scottish Ministers when UK Ministers make regulations in devolved areas. Amendments 25 and 26 seek to ensure that the UK Government seek consent from devolved Ministers before amending legislation in devolved areas.

Before I move on, I meant to say that I recognise that Government amendments 64 and 66, and consequential amendments 65 and 67, now require Scottish Ministers only to consult and not to seek consent in certain areas. However, the number of areas is limited, and the amendments do not address all the problems.

Amendment 27 requires the Secretary of State to consult Scottish Ministers before deciding whether, or for how long, to prolong the period during which implemented powers can be used. That is important because there is no equivalent provision in the European Union (Withdrawal) Act 2018, and because no amendment has been made to the existing provisions in the Trade Bill that allow the UK Government unilaterally to alter the powers of Scottish Ministers in relation to grandfathering trade arrangements for further periods of up to five years at a time.

At present, it is envisaged that the powers in the Trade Bill relating to the grandfathering of existing free trade arrangements with third countries would have to be used in only a very small number of cases that could not be dealt with under the European Union (Withdrawal) Act—for example, for reasons of timing. However, with so much uncertainty around the ease with which existing agreements will be rolled over, it is possible that this restriction could have a more significant impact, not least because many of the 24 areas likely to be subject to the clause 11 regulations—that is, the power grab—are already outside the world of trading and trade deals.

If left unamended, or amended only along similar lines to the amendments in the withdrawal Act, this provision in the Trade Bill would in effect allow the UK Government to change the law in devolved areas to allow for the implementation of these arrangements, which might not necessarily remain exactly as they are at present. In essence, that is close enough to having an ability to implement a new trade Bill with almost no consultation or consent at all. Our amendment 28 deals with that problem.

Amendment 29 is small and seeks a direct read across from the European Union (Withdrawal) Act 2018. It would replace the need for consent from UK Ministers in certain circumstances with the need only to consult. As I said, I note the Government amendments in that regard.

We are not arguing for vetoes for Scotland nor for any sense of Scottish exceptionalism; we are simply looking at the facts, understanding what is going on and what needs to happen. If Scottish Ministers are required to consult or seek consent when Scottish parliamentary responsibilities intersect with UK responsibilities, we are simply arguing that UK Ministers should be under the same obligation to consult or seek consent where UK policy responsibilities intersect with those of the devolved Administrations. It was said in the last debate that that happens with the Parliaments of Belgium, and it also happens with the Canadian provinces. The world does not collapse when proper respect and statutory weight is given to the rights and responsibilities of sub-state administrations. It is common sense. We are trying to improve the situation to make it work and to ensure that our voices and our national interests are protected and that the rights of the devolved Administrations are respected.

Time is short, and we do not want many votes on this group so as to allow time for the last group, particularly new clause 18, which needs to be properly debated, but I hope to press amendment 25 to a vote.

Kirsty Blackman (Aberdeen North) (SNP): I will not speak for long because our Front-Bench spokesperson, my hon. Friend the Member for Dundee East (Stewart Hosie) has covered the issues well, but I want to talk briefly about why it is important that the Scottish Parliament, Scottish Ministers and the Scottish people in general should have more of a say in deals going forward than is proposed by the UK Government.

In recent times, the UK Government have not had responsibility for signing off and negotiating trade deals. They have not been the key player. Therefore, they have not been able to undertake some of the practices that we think they could undertake, so it is understandable that the Scottish people are worried given that we have been monumentally badly served by the UK Government over decades. Just look at the roll-out of universal credit, the bedroom tax, the rape clause and the passage of the European Union (Withdrawal) Act 2018—legislation that happened despite the Scottish Parliament refusing consent. All those things show the ways in which the UK Government are badly serving Scotland.

Until I was an MP, I genuinely thought that the UK Government were, at times, probably trying their best. When I got elected to this place, I discovered that when the UK Government propose legislation and we say to them, “Have you thought about how this will affect Scotland?” the answer is not that they are trying to do anything bad, it is just that they forget we exist. They just do not even consider the views of Scotland or the differences in Scotland. Look at how the common fisheries policy has been negotiated by the UK Government, for example. The way that the Government negotiated swaps removed quota rights from Scottish fishermen to the benefit of fishermen in the south of England. Such choices made by the UK Government have a direct negative impact on Scottish people. On that basis, it is understandable that we are worried that the UK Government will not take decisions in Scotland’s best interests because they may simply forget that we exist.

John Redwood: Does the hon. Lady understand that the common fisheries policy and international trade deals have been entirely in the power of the European Union? To the extent that they do not suit Scotland, it is the EU’s fault. Can she not see that power is coming back to the benefit of Scotland and the United Kingdom?
Kirsty Blackman: Perhaps the right hon. Gentleman did not hear what I said. The issue is that the UK Government have chosen to negotiate swaps that directly disadvantage Scottish fishing. The concern is that the weight of the population in the south of England will mean that the UK Government continue to take decisions that improve life for people in the south of England without taking account of the fact that those decisions are detrimental to people in Scotland.

The amendments we have tabled would therefore ensure that, in decisions that are taken in this place—decisions on which the UK Parliament will have more power than it has had in recent decades—the voice of Scotland is heard, because we need decisions that do not disadvantage the people of Scotland.

Angus Brendan MacNeil: You catch me finishing off a Trebor extra-strong mint, Madam Deputy Speaker, and very nice it was, too.

At a time when the House is investigating bilateral trade agreements, my hon. Friend the Member for Aberdeen North (Kirsty Blackman) made the fantastic point that for 40 years the UK Government stipulated in their bilateral trade agreements, “London airports only.” It was only when they demanded that Iceland should fly to London airports and Iceland said, “There is no way we’re flying to a London airport to get the sleeper back to Glasgow,” that some change was brought about—that was relayed to me by the Icelanders themselves.

Trade agreements, by their very nature, require trade-offs, and there should be aggregate gains to the two parties involved. Within those aggregate gains, there will be people in certain sectors who lose. My International Trade Committee heard about that from Kevin Roberts of Meat Promotion Wales. He told us that some 80% of Wales is either upland hills or pasture and is suitable only for livestock farming, which is a fragile sector. About 80% of the net farm incomes of Wales come from EU subsidies, which is another matter.

Let us consider a situation in which the UK Government find themselves in a trade negotiation with somebody who says, “Do you know what? See if you could let us have some access to your market for our lamb and we’ll give you something else.” Wales would lose out. The aggregate gain to UK GDP would be increased—the right hon. Member for Wokingham (John Redwood) made the fantastic point that for 40 years the UK Government stipulated in their bilateral trade agreements, “London airports only.” It was only when they demanded that Iceland should fly to London airports and Iceland said, “There is no way we’re flying to a London airport to get the sleeper back to Glasgow,” that some change was brought about—that was relayed to me by the Icelanders themselves.

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We should remember that Wales is not a member of the UK in the same way as Ireland is a member of the European Union. Ireland, as we have seen week in and week out, day in and day out, month in and month out, and hour in and hour out, has a real voice in Europe. In fact, some Brexiteers complain that Ireland is now the tail that wags the EU dog. If only that were a possibility for Wales, Scotland or Northern Ireland within the UK, there might not then be the concerns that my hon. Friend the Member for Dundee East (Stewart Hosie) raised. That is why there should be some responsibility and some form of acknowledgement from the big beast of the UK—England, or the south-east of England—that it might gain from a free trade agreement at the expense of other places. We need some counterbalancing measures.

In a way, the Brexiteers are constitutional gold dust, because I want to see Scotland catching up with Ireland at the top of the EU growth league, rather than being at the bottom with the UK. This is putting a strain on the United Kingdom. As Laura Dunlop, QC, told the Exiting the European Union Committee:

“At the moment, there is a sense of a double-whammy: that the international arrangements, whatever they are going to be, will be negotiated by the UK Government, and then the UK Government will be telling the devolveds what they have to do to comply with them. The participation is minimal.”

That is an unsustainable way forward. It does not respect the words we heard in 2014, “Scotland, stay in and lead. Do not just be a part; lead the UK.” When push comes to shove, as we have seen all the way through the European Union withdrawal process, Scotland is shoved to one side. It is all rhetoric. If the Government had the grace to put some of their rhetoric into action, they would be accepting some of the amendments here today. This is not big stuff in any other country, so why is it a big deal in the centralised UK, both to the Tory Government and, sadly, to the Labour Opposition, who feel that they must also adopt the centralising approach? It is really disappointing from both of them.

Hywel Williams (Arfon) (PC): In a reply to my hon. Friend the Member for Ceredigion (Ben Lake) yesterday, the Secretary of State said the following in respect of having agreements ratified by the devolved Administrations: “I would imagine that, in line with other agreements, we would seek legislative consent from the devolved Administrations where there were elements in which they were required to apply parts of those negotiations.”—[Official Report, 17 July 2018; Vol. 645, c. 51.]

Is that the Government’s settled view on this matter? Notwithstanding the shortness of time, will the Minister give us a brief example of how that would apply?

George Hollingbery: I thank the hon. Gentleman for his question. What I can say on that is that the Scottish National party has already welcomed a number of measures in the Bill today. The negotiations are ongoing with the Welsh Government and I would hope that in due course we will reach those legislative consent motions.

As I was saying, this will ensure that England, Scotland, Wales and Northern Ireland maintain the greatest amount of certainty, continuity and stability in our trade and investment relationships for our businesses, citizens and trading partners. I am certain that all Members across the House support the importance of maintaining these trading opportunities for business across the UK, such as we see with the 10% of Scotch whisky exports that go to countries with which we wish to transition existing
trade agreements. As parts of these agreements will touch on devolved matters, this legislation creates powers for devolved Administrations to implement them. These powers will be held concurrently by the devolved Administrations and the UK Government. That approach will ensure that where it makes practical sense for regulations to be made once for the whole UK, it is possible for this to happen. However, in the trade White Paper, and throughout the Committee stage, the Government have publicly and repeatedly committed to not normally use the powers in the Bill to amend legislation in devolved areas without the consent of the relevant devolved Administrations—and not without first consulting them. I make that commitment again today. As such, new clause 4 is unnecessary.

Barry Gardiner: I take in good faith the assurance the Minister has given across the Dispatch Box that the Government would not normally do that, but surely he cannot equivocate that with having the security of that commitment in the Bill. He must accept that on this side of the House we have tried to be even-handed in ensuring that the terms of the devolution settlement are respected both by government and by the nationalists in Scotland. If he is simply saying, “Everybody must rely on an assurance across the Dispatch Box”, that is not good enough.

George Hollingbery: I say to the hon. Gentleman that the Sewel convention is well established. It has been in place for many years and it has proved more than adequate up to now. We believe it is the right way forward to handle this particular issue, so we see no need for new clause 4 to be in the Bill.

We will work closely with the devolved Administrations to deliver an approach to the implementation of trade agreements that works for the whole of the UK, reflecting the needs and individual circumstances of England, Scotland, Wales and Northern Ireland. The Government’s approach respects a long-standing and robust convention between the UK Government and the devolved Administrations.

Anna McMorrin (Cardiff North) (Lab): Will the Minister explain how he is going to work with the devolved Administrations on this? For example, would this involve a UK council of Ministers?

George Hollingbery: Our intention is to carry on negotiating with the devolved authorities to find a way forward to get the signatures on the legislative consent motions that we wish to sign, and that we believe we are in a position to sign with those Administrations if we continue to co-operate with them and to negotiate properly.

Several hon. Members rose—

George Hollingbery: If Members do not mind, I shall make a little more progress.

Concurrent functions have always been a normal part of our devolution arrangements, and the Bill broadly replicates the concurrent approach taken under section 2(2) of the European Communities Act 1972. That has proved an efficient and effective precedent for the devolved Administrations and the UK Government. I thank the hon. Member for Dundee East (Stewart Hosie) for raising the issue of the devolved authorities’ role in the transitional agreements and any extension of the sunset provision. I am happy to confirm that, should they make the decision to use the three-year sunset extension or provision, the Government commit to engaging the devolved Administrations in that decision-making process in advance.

The Government have made a number of their own amendments to reduce restrictions on the powers conferred on devolved Ministers, bringing greater parity between UK Ministers’ powers and devolved Ministers’ powers. I particularly wish to draw the House’s attention to two changes. Government amendments 64 to 67 change the requirement on devolved Ministers from seeking the consent of UK Ministers to consulting UK Ministers before making regulations under the Bill’s powers that relate to quotas or the pre-exit commencement of regulations.

Barry Gardiner: I am concerned about what the Minister said. Does he not accept that if the provisions in clauses 1 and 2 are taken in conjunction with Government amendment 34, they will allow the Westminster Government to use Henry VIII powers to modify primary legislation or retained direct EU legislation in areas that are a matter of devolved competence? That is to go beyond “not normally”, which is why new clause 4 is essential.

Mr Speaker: Order. May I just emphasise that there is no obligation to continue up to the wire? I know that sometimes some people on the Government Bench say “Keep going till the cut-off point,” but it is not necessary to do so. There is a lot of other material to be debated. The Minister, who is a most courteous fellow, was extremely succinct earlier; he should not think that that was unpopular in the House.

George Hollingbery: You will be glad to hear, Mr Speaker, that I do not have a great deal more to say.

Let me engage with the shadow Secretary of State’s point. The powers that the Government are taking relate to where any regulations under section 12 of the European Union (Withdrawal) Act are in force and intersect with devolved Ministers’ rights to modify retained direct EU law. We are carving out an area in which the UK Government believe it is right and proper that the interests of the wider United Kingdom have precedence. I think the shadow Secretary of State understands what I mean; indeed, from the look on his face I believe he probably secretly agrees with what I am saying.

Barry Gardiner indicated dissent.

George Hollingbery: The hon. Member for Dundee East will know that work is ongoing around the extent of the areas which I have just outlined to the shadow Secretary of State and which will be covered by section 12. The changes I have outlined recognise the important role that the devolved Administrations will play in implementing trade continuity agreements in devolved areas. I reiterate that, in line with convention, UK Government will not normally implement such measures in devolved areas without the consent of the devolved Administrations.

The amendments demonstrate significant progress in our discussions with the devolved Administrations.
Stephen Kerr (Stirling) (Con): On a very quick point, is it not true that the working relationship between the UK Government and the Scottish Government is much more positive and much more healthy than we would be led to believe from listening to the rhetoric of the SNP Members in this place?

George Hollingbery: It is not for me to make judgments on how people approach negotiations, save to say that the experience of Government officials is that deep, proper and real conversations have occurred at Scottish Government level between officials and indeed between those in the Executive.

Let me reiterate that, in line with convention, the UK Government will not normally implement in devolved areas without the consent of the devolved Administrations. These amendments demonstrate significant progress in our discussions with the devolved Administrations to whom we have been listening throughout the passage of this Bill, as has been admirably demonstrated. We will continue to engage actively with the devolved Administrations to achieve the agreement of a legislative consent memorandum. As such, I hope that the hon. Member for Dundee East will now feel able not to push amendment 29 to a vote.

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

The House divided: Ayes 248, Noes 315.

**Division No. 219**  

[4.54 pm]

**AYES**

Abbott, rh Ms Diane
Ali, Rishanara
Allin-Khan, Dr Rosena
Amess, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Tonia
Bennett, Daniel
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Braze, rh Tom
Brennan, Kevin
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
Campbell, rh Mr Alan
Campbell, rh Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Cheatley, rh Ann
Coaker, Vernon
Coffey, Ann

Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gill, Preet Kaur
Glinion, Mary
Godsiff, rh Mr Roger
Goodman, Helen
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Megan
Hobhouse, Wera
Hodgson, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollem, Kate
Hopkins, Kelvin
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
Khair, Azfar
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laid, Lesley
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lynch, Holly
Madders, Justin
Mahmod, Mr Khalid
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCafferty, Kerry
McDonald, Andy
McDonnell, rh Mr John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mears, Ian
Miliband, rh Edward
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Graham
Murray, Ian
Nandy, Lisa
Norris, Alex
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamar, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
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
Rodd, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Sharma, Mr Virendra
Sheerman, Mr Barry
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeth, Ruth
Smith, Mr Steve
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smellie, Karl
Snel, Darryl
Sobel, Alex
Spellar, rh John

**NOES**

Alistair, Mike
Amess, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Tonia
Bennett, Daniel
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Braze, rh Tom
Brennan, Kevin
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
Campbell, rh Mr Alan
Campbell, rh Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Cheatley, rh Ann
Coaker, Vernon
Coffey, Ann

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Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gill, Preet Kaur
Glinion, Mary
Godsiff, rh Mr Roger
Goodman, Helen
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Megan
Hobhouse, Wera
Hodgson, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollem, Kate
Hopkins, Kelvin
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
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Khair, Azfar
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laid, Lesley
Lamb, rh Norman
Lammy, rh Mr David
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Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCafferty, Kerry
McDonald, Andy
McDonnell, rh Mr John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
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McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mears, Ian
Miliband, rh Edward
Moon, Mrs Madeleine
Moran, Layla
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Onwurah, Chi
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Owen, Albert
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Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
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Phillipson, Bridget
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
Rodd, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Sharma, Mr Virendra
Sheerman, Mr Barry
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeth, Ruth
Smith, Mr Steve
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smellie, Karl
Snel, Darryl
Sobel, Alex
Spellar, rh John
Tellers for the Ayes:
Jeff Smith and Chris Elmore

NOES

Adams, Nigel
Afolami, Bim
Afriye, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breereton, Jack
Bridgen, 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
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon

Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Halton, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
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
Hollобone, rh Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Saqib
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkins, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keean, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Laird, Lesley
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Lee, Dr Philip
Leffroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver

Lewer, Andrew
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
MceVey, 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
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, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Mr Speaker: What is going on is that a Member is being exhorted to remove himself from the Division Lobby, and that will happen. The result of the vote will be declared very soon. I understand the consternation of the right hon. Gentleman, but I have his and all other Members’ interests at heart. We will not long be delayed before proceeding with the next group, for which there is very little time. We must not dilly-dally on this matter any longer.

The House having divided: Ayes 37, Noes 318.

**Division No. 220**

<table>
<thead>
<tr>
<th>AYES</th>
<th>NOES</th>
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<tbody>
<tr>
<td>Black, Mhairi</td>
<td>Brine, Steve</td>
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<td>Blackford, rh Ian</td>
<td>Brokenshire, rh James</td>
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<td>Blackman, Kirsty</td>
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<td>Burns, Conor</td>
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<td>Chapman, Douglas</td>
<td>Burt, rh Alistair</td>
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<td>Cherry, Joanna</td>
<td>Caims, rh Alun</td>
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<td>Cowan, Ronnie</td>
<td>Campbell, Mr Gregory</td>
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<td>Day, Martyn</td>
<td>Cash, Sir William</td>
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<td>Caulfield, Maria</td>
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<td>Hendy, Drew</td>
<td>Clark, rh Greg</td>
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<td>Hobhouse, Wera</td>
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<td>Hosie, Stewart</td>
<td>Clarke, Mr Simon</td>
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<td>Lake, Ben</td>
<td>Cleverly, James</td>
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<tr>
<td>Mims Davies and Kelly Tolhurst</td>
<td>Clifton-Brown, Sir Geoffrey</td>
</tr>
<tr>
<td>Tellers for the Ayes: Marion Fellows and David Linden</td>
<td>Coffey, Dr Thérèse</td>
</tr>
</tbody>
</table>

**NOES**

| Adams, Nigel | Brine, Steve |
| Afolami, Bim | Brokenshire, rh James |
| Afrinje, Adam | Bruce, Fiona |
| Aldous, Peter | Buckland, Robert |
| Allan, Lucy | Burghart, Alex |
| Allen, Heidi | Burns, Conor |
| Amess, Sir David | Burt, rh Alistair |
| Andrew, Stuart | Caims, rh Alun |
| Argar, Edward | Campbell, Mr Gregory |
| Atkins, Victoria | Cartlidge, James |
| Bacon, Mr Richard | Cash, Sir William |
| Badenoch, Mrs Kemi | Caulfield, Maria |
| Baker, Mr Steve | Chalk, Alex |
| Baldwin, Harriett | Chishti, Rehman |
| Barclay, Stephen | Chope, Sir Christopher |
| Baron, Mr John | Churchill, Jo |
| Bebb, Guto | Clark, Colin |
| Bellingham, Sir Henry | Clark, rh Greg |
| Benyon, rh Richard | Clarke, rh Mr Kenneth |
| Beresford, Sir Paul | Clarke, Mr Simon |
| Berry, Jake | Cleverly, James |
| Blackman, Bob | Clifton-Brown, Sir Geoffrey |
| Blunt, Crispin | Coffey, Dr Thérèse |
| Boles, Nick | Costa, Alberto |
| Bone, Mr Peter | Courts, Robert |
| Bottomley, Sir Peter | Cox, rh Mr Geoffrey |
| Bowie, Andrew | Crabb, rh Stephen |
| Bradley, Ben | Crouch, Tracey |
| Bradley, rh Karen | Davies, Chris |
| Brady, Sir Graham | Davies, David T. C. |
| Braverman, Suella | Davies, Glyn |
| Brereton, Jack | Davie, rh Mr David |
| Bridgen, Andrew | Dinenage, Caroline |

**Question accordingly negatived.**

5.8 pm

_Pard: 25, page 1, line 15, at end insert_

’(1A) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 8 of Schedule 1), unless the Scottish Ministers consent.

(1B) No regulations may be made under this subsection by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), unless the Welsh Ministers consent.‘—(Stewart Hosie.)

This amendment and Amendment 26 seek to ensure that regulations cannot be made without consent from devolved Ministers.

**Question put.**

_The House proceeded to a Division._
Question accordingly negatived.

 Clause 4

INTERPRETATION OF Part 1

Amendments made: 49, page 3, line 19, at end insert “of”.

This amendment is consequential on Amendment 50.

Amendment 50, page 3, line 20, leave out from “authority” to end of line 22.—(George Hollingbery.)

This amendment makes clear that a Minister of the Crown and a devolved authority cannot make regulations under Clause 1 or Clause 2 jointly (except as required by paragraph 5 of Schedule 1).
Schedule 1

Restrictions on devolved authorities

Amendments made: 61, page 7, line 5, leave out "regulations" and insert "provision".

This amendment makes clear that the usual rule on ultra vires provision in devolved SIs applies: if one provision is ultra vires it does not follow that the entire instrument is ultra vires.

Amendment 62, page 7, line 6, leave out "every provision of them" and insert "the provision".

See the explanatory statement for Amendment 61.

Amendment 63, page 7, line 10, leave out paragraph 2 and insert—

2 (1) No provision may be made by the Scottish Ministers under section 1(1) or 2(1) so far as the provision—

(a) modifies any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018, and

(b) would, when made, be in breach of—

(i) the restriction in section 30A(1) of the Scotland Act 1998 if the provision were made in an Act of the Scottish Parliament, or

(ii) the restriction in section 57(4) of the Scotland Act 1998 if section 57(5)(c) of that Act were ignored.

(2) No provision may be made by the Welsh Ministers under section 1(1) or 2(1) so far as the provision—

(a) modifies any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018, and

(b) would, when made, be in breach of—

(i) the restriction in section 80(8) of the Government of Wales Act 2006 if section 80(8A)(c) of that Act were ignored, or

(ii) the restriction in section 109A(1) of the Government of Wales Act 2006 if the provision were made in an Act of the National Assembly for Wales.

(3) No provision may be made by a Northern Ireland department under section 1(1) or 2(1) so far as the provision—

(a) modifies any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018, and

(b) would, when made, be in breach of—

(i) the restriction in section 6A(1) of the Northern Ireland Act 1998 if the provision were made in an Act of the Northern Ireland Assembly, or

(ii) the restriction in section 24(3) of the Northern Ireland Act 1998 if section 24(4)(c) of that Act were ignored.

(4) No provision may be made by a devolved authority under section 1(1) or 2(1) so far as, when made, the provision is inconsistent with any modification (whether or not in force) which—

(a) is a modification of any retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018,

(b) is made by the European Union (Withdrawal) Act 2018 or by a Minister of the Crown under that Act, or by a Minister of the Crown under this Act, and

(c) could not be made by the devolved authority by virtue of sub-paragraph (1), (2) or (as the case may be) (3).

(5) For the purposes of sub-paragraphs (1)(b), (2)(b) and (3)(b), the following provisions, any regulations made under them and any related provision are to be assumed to be wholly in force so far as that is not otherwise the case—

(a) sections 30A and 57(4) to (15) of the Scotland Act 1998,

(b) sections 80(8) to (8L) and 109A of the Government of Wales Act 2006, and

(c) sections 6A and 24(3) to (15) of the Northern Ireland Act 1998.

(6) References in this paragraph to section 80(8) of the Government of Wales Act 2006 are to be read as references to the new section 80(8) of that Act provided for by paragraph 2 of Schedule 3 to the European Union (Withdrawal) Act 2018.

(7) In this paragraph "domestic law" means the law of England and Wales, Scotland or Northern Ireland.

This amendment provides that the devolved authorities may not make provision under Clause 1 (1) or 2(1) that: (a) modifies retained direct EU legislation or anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018; and (b) would breach the relevant devolved competence restriction in the devolution settlements (as amended by that Act).

Amendment 64, page 7, line 27, leave out “without the consent of a Minister of the Crown”.

This amendment and Amendment 65 provide that the devolved authorities need only consult with a Minister of the Crown before making regulations that are to come into force before exit day.

Amendment 65, page 7, line 28, at end insert “,” unless the regulations are, to that extent, made after consulting with a Minister of the Crown”.

See the explanatory statement for Amendment 64.

Amendment 66, page 7, line 30, leave out “without the consent of a Minister of the Crown”.

This amendment and Amendment 67 provide that the devolved authorities need only consult with a Minister of the Crown before making regulations about, or which are incompatible with, quota arrangements.

Amendment 67, page 7, line 32, at end insert “,” unless the regulations are, to that extent, made after consulting with a Minister of the Crown”.

See the explanatory statement for Amendment 66.

Amendment 68, page 10, line 36, leave out “and (5)”.

This amendment removes an unnecessary reference to subsection (5) of section 57 of the Scotland Act 1998.

Amendment 69, page 11, line 15, leave out “and (4)”.

—(George Hollingbery;)

This amendment removes an unnecessary reference to subsection (4) of section 24 of the Northern Ireland Act 1998.

Schedule 3

Exceptions to restrictions in the devolution settlements

Amendments made: 76, page 13, line 41, leave out from “(2018)” to end of line 3 on page 14 and insert “omit the “or” at the end of paragraph (a) and, at the end of paragraph (b) insert—,” or

(c) to the making of regulations under section 1(1) or 2(1) of the Trade Act 2018.”’’

This amendment updates the numbering of the inserted text, following changes to text added by the European Union (Withdrawal) Act 2018.

Amendment 77, page 14, line 7, leave out from “(2018)” to end of line 10 and insert “omit the “or” at the end of paragraph (a) and, at the end of paragraph (b) insert—,” or

(c) to the making of regulations under section 1(1) or 2(1) of the Trade Act 2018.”’’

See the explanatory statement to Amendment 76.
Amendment 78, page 14, line 14, leave out from “2018”) to end of line 17 and insert "omit the “or” at the end of paragraph (a) and, at the end of paragraph (b) insert— “; or (c) to the making of regulations under section 1(1) or 2(1) of the Trade Act 2018.”—(George Hollingbery.)

See the explanatory statement to Amendment 76.

Mr Speaker: We come now to the third and final group of new clauses and amendments, beginning with Government new schedule 1. In the friendliest and most convivial possible spirit, I remind the Minister on the Treasury Bench that it is not necessary for him to speak at length. It might make him even more popular than he already is if he does not.

New Schedule 1

TRANSFER SCHEMES

1 (1) The Secretary of State may make one or more staff transfer schemes in connection with the establishment of the TRA by this Act.

(2) A ‘staff transfer scheme’ is a scheme providing for the transfer from the Secretary of State to the TRA of any rights or liabilities under or in connection with a contract of employment.

2 (1) A staff transfer scheme may, among other things, make provision—

(a) for the transfer of rights and liabilities that could not otherwise be transferred;
(b) for the transfer of rights and liabilities arising after the making of the scheme;
(c) which is the same as or similar to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246);
(d) creating rights, or imposing liabilities, in relation to rights or liabilities transferred;
(e) about the continuing effect of things done by the Secretary of State in respect of any rights or liabilities transferred;
(f) about the continuing effect of things (including legal proceedings) in the process of being done by, or on behalf of, or in relation to, the Secretary of State in respect of any rights or liabilities transferred;
(g) for references to the Secretary of State in an instrument or other document in respect of any rights or liabilities transferred to be treated as references to the TRA;
(h) that is supplementary, incidental, transitional or consequential.

(2) A staff transfer scheme may provide—

(a) for the scheme to be modified by agreement after it comes into effect, and
(b) for any such modifications to have effect from the date when the original scheme comes into effect.

3 For the purposes of this Schedule—

(a) an individual who holds employment in the civil service of the State is to be treated as employed by virtue of a contract of employment, and
(b) the terms of the individual’s employment in the civil service of the State are to be regarded as constituting the terms of the contract of employment.”—(George Hollingbery.)

This amendment inserts a Schedule that sets out powers for the Secretary of State to make a scheme providing for the transfer of staff from the Secretary of State to the Trade Remedies Authority. Brought up, and read the First time.

George Hollingbery: I beg to move, That the schedule be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

Government amendment 58.

Amendment 12, in schedule 4, page 14, line 34, at end insert “with the consent of the International Trade Committee of the House of Commons.”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of Chairs of the Trade Remedies Authority.

Amendment 30, in schedule 4, page 14, line 34, at end insert—

“(aa) a non-executive member appointed by the Secretary of State with the consent of the Scottish Ministers,
(ab) a non-executive member appointed by the Secretary of State with the consent of the Welsh Ministers.”

The Trade Remedies Authority will undertake trade remedies investigations across the UK, which will inevitably touch on devolved areas or areas of significance to Scotland. This amendment would require the consent of Scottish and Welsh Ministers to the appointment of one non-executive board member each.

Amendment 13, in schedule 4, page 14, line 35, at end insert “with the consent of the International Trade Committee of the House of Commons.”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of other non-executive members of the Trade Remedies Authority.

Amendment 22, in schedule 4, page 14, line 35, at end insert “including representatives of UK manufacturing sectors and trade unions in manufacturing”. This amendment would ensure that UK producers including manufacturers, and their employees, are included in the corporate governance of the new Trade Remedies Authority.

Amendment 80, in schedule 4, page 14, line 35, at end insert “including representatives of—

(i) producers,
(ii) trade unions, and
(iii) each one of the devolved administrations.”

This amendment would ensure that the Trade Remedies Authority includes, among its non-executive members, representatives of key stakeholder bodies.

Amendment 14, in schedule 4, page 14, line 37, after “State” insert “, and with the consent of the International Trade Committee of the House of Commons.”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of the chief executive of the Trade Remedies Authority.

Amendment 15, in schedule 4, page 14, line 38, after “State” insert “with the consent of the International Trade Committee of the House of Commons.”.

This amendment would give the International Trade Select Committee scrutiny and consent powers for the appointment of the inaugural chief executive of the Trade Remedies Authority.
Amendment 23, in schedule 4, page 15, line 2, leave out from “must” to end of line 3 and insert—

“(a) the Chair,
(b) organisations representing UK manufacturing sectors, and
(c) trade unions in manufacturing.”

This amendment would ensure that UK producers including manufacturers, and their employees, are included in the corporate governance of the new Trade Remedies Authority.

Amendment 16, in schedule 4, page 15, line 12, at end insert—

“4A A member of the TRA, whether executive or non-executive, shall not actively engage in any business, vocation or employment which may give rise to a potential conflict of interest, for the duration of their service on the TRA.”

This amendment would require candidates for appointment as non-executive members of the TRA to disclose political activity, consistent with guidelines set out in the Cabinet Office Governance Code on Public Appointments.

Amendment 17, in schedule 4, page 15, line 16, at end insert—

“5A It must be publicly disclosed if any candidate for appointment as an executive member of the TRA has, in the last five years, been employed by a political party, held a significant office in a political party, has stood as a candidate for a political party in an election, has publicly spoken on behalf of a political party, or has made significant donations or loans to a political party.”

This amendment would require candidates for appointment as executive members of the TRA to disclose political activity, consistent with guidelines set out in the Cabinet Office Governance Code on Public Appointments.

Amendment 18, in schedule 4, page 15, line 31, at end insert—

“10A A member of the TRA, whether executive or non-executive, shall not actively engage in any business, vocation or employment which may give rise to a potential conflict of interest, for the duration of their service on the TRA.”

This amendment would militate against conflicts of interest by precluding TRA members from engaging in any commercial activity for the duration of their time on the TRA.

New clause 1—EU customs union—

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement which enables the UK to participate after exit day in a customs union with the EU in the same terms as existed before exit day.

(2) Exit day shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 2—Review of the impact on the UK economy—

“(1) Before the end of the initial five year period, the Secretary of State shall publish and lay before both Houses of Parliament an assessment of the impact of all international trade agreements implemented under section 2 of this Act on—

(a) the economy of the United Kingdom,
(b) the economy of the different parts of the United Kingdom and different regions of England, and
(c) individual economic sectors.

(2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the international trade agreements implemented under section 2 of this Act and those international trade agreements to which the United Kingdom would have been a signatory had it continued to participate in the EU Customs Union.

(3) This section—

‘the initial five year period’ has the same meaning as in section 2(8)(a),
‘parts of the United Kingdom’ means—
(a) England,
(b) Scotland,
(c) Wales, and
(d) Northern Ireland
‘regions of England’ has the same meaning as that used by the Office for National Statistics.”

New clause 5—Implementation of a customs union with the EU—

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement which enables the UK to participate after exit day in a customs union with the EU.

(2) Exit day shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 8—Internal Market Negotiating Objective—

“It shall be a negotiating objective of Her Majesty’s Government to ensure the United Kingdom has full access to the internal market of the European Union, underpinned by shared institutions and regulations, with no new impediments to trade and common rights, standards and protections as a minimum.”

New clause 9—UK membership of EFTA and the European Economic Area—

“(1) It shall be the objective of an appropriate authority to achieve before exit day the implementation of an international agreement to enable the UK to become a member of the European Free Trade Association and continue as a signatory to the EEA Agreement.

(2) ‘Exit day’ shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 10—UK membership of EFTA—

“(1) It shall be the objective of an appropriate authority to achieve before exit day the implementation of an international agreement to enable the UK to become a member of the European Free Trade Association.

(2) ‘Exit day’ shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

New clause 11—Assessment of slavery or servitude—

“The Secretary of State shall, before concluding negotiations relating to an international trade agreement, make an assessment of the steps taken by the other signatory to the agreement (or each other signatory) to prevent and punish activity which, if undertaken in England or Wales, would constitute an offence under section 1 of the Modern Slavery Act 2015 (slavery, servitude and forced or compulsory labour).”

New clause 15—Ratification of international trade agreements—

“An international trade agreement shall not be ratified unless it enables the United Kingdom to require imports to—

(a) comply with any standards laid down by primary or subordinate legislation in the United Kingdom regarding food safety, the environment and animal welfare, or
(b) have been produced to standards that are deemed by the Secretary of State to be comparable in effectiveness to those of the United Kingdom in protecting food safety, the environment and animal welfare.”

This new clause would ensure that UK standards regarding food safety, the environment and animal welfare could not be undermined by imports produced to lower standards.

New clause 17—UK participation in the European medicines regulatory network—

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement, which enables the UK to fully participate after exit day...
day in the European medicines regulatory network partnership between the European Union, European Economic Area and the European Medicines Agency.

(2) Exit day shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

This new clause would ensure that it is a negotiating objective for the UK Government to secure an international agreement through which the UK may continue to participate in the European medicines regulatory network partnership between the EU, EEA and the European Medicines Agency, ensuring that patients continue to have access to high-quality, effective and safe pharmaceutical and medical products, fully aligned with the member states of the EU and EEA.

New clause 18—Free trade area for goods—

“(1) Before exit day it shall be the objective of Her Majesty’s Government to achieve the implementation of an international agreement to enable the United Kingdom to establish a frictionless free trade area for goods between the UK and the EU.

(2) If an international agreement of the type set out in subsection (1) has not been agreed by 21st January 2019 then it shall be the objective of Her Majesty’s Government to achieve the implementation of an international agreement which enables the United Kingdom to participate after exit day in a customs union with the EU.

(3) ‘Exit day’ shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

This new clause would make it a negotiating objective of the UK to establish a free trade area for goods between the UK and the EU and if that cannot be agreed then it should be the objective of the UK to secure an agreement to enable the UK’s participation in a customs union with the EU.

New clause 19—Reporting on trade between the United Kingdom’s devolved nations and regions with the Republic of Ireland—

“(1) The Secretary of State shall, no earlier than 12 months and no later than 18 months after Royal Assent has been given to this Act—

(a) lay before both Houses of Parliament an assessment of the implications of this Act for trade between the constituent parts of the United Kingdom and the Republic of Ireland, and

(b) make arrangements for the assessment to be laid before the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.

(2) In preparing the assessment under subsection (1), the Secretary of State shall consult with—

(a) the Scottish Ministers, the First Minister or the Lord Advocate,

(b) the Welsh Ministers, and

(c) a Northern Ireland devolved authority.”

This new clause would ensure that the impact of the UK’s exit from the European Union on trade across the border between the Republic of Ireland and Northern Ireland, and between the Republic of Ireland and other parts of the United Kingdom is properly reviewed and reported to Parliament.

New clause 25—Trade agreement with the EU: mobility framework—

“It shall be the objective of the Secretary of State to take all necessary steps to secure an international trade agreement with the European Union which includes a mobility framework that enables all UK and EU citizens to exercise the same reciprocal rights to work, live and study.”

Government amendments 31 to 35.

Amendment 11, in clause 2, page 2, line 12, at end insert—

“or (c) a regulatory cooperation agreement.”

This amendment would ensure that HM Government is able to efficiently replicate existing regulatory cooperation agreements that may be required for continuity of business arrangements if the UK exits the European Union.

Amendment 3, in clause 2, page 2, line 29, at end insert—

“(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if:

(a) the provisions of that international trade agreement do not conflict with, and are consistent with—

(i) the provisions of the Sustainable Development Goals adopted by the United Nations General Assembly on 25 September 2015,

(ii) international human rights law and international humanitarian law,

(iii) the United Kingdom’s obligations on workers’ rights and labour standards as established by but not limited to the commitments under the International Labour Organisation’s Declaration on Fundamental Rights at Work and its Follow-up Conventions,

(iv) the United Kingdom’s environmental obligations in international law and as established by, but not limited to, the Paris Agreement adopted under the United Nations Framework Convention on Climate Change, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety,

(v) existing standards for food safety and quality as set and administered by the Department of Health, the Food Standards Agency and any other public authority specified in regulations made by the Secretary of State,

(vi) the United Kingdom’s obligations as established by the Convention on the Elimination of All Forms of Discrimination Against Women and by the Convention on the Rights of the Child, and

(vii) the sovereignty of Parliament, the legal authority of UK courts, the rule of law and the principle of equality before the law.

(a) the provisions of that international trade agreement do not in any way restrict the ability to determine whether public services at a national or local level are delivered by public sector employees, and

(b) the Secretary of State has laid before Parliament an assessment that considers the potential economic, social, human rights and environmental impacts of the international trade agreement on the contracting parties.”

Amendment 24, in clause 2, page 2, line 29, at end insert—

“(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if the Secretary of State has made an assessment under section (Assessment of slavery or servitude) in respect of that agreement.”

Amendment 81, in clause 2, page 2, line 29, at end insert—

“(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if a principle of non-regression, according to which the protection of the environment, ensured by legislative and regulatory provisions relating to the environment, is incorporated.”

This amendment would ensure that environmental standards are not lowered in a new UK international trade agreement by maintaining and continually updating current standards through an environmental non-regression clause.
Government amendments 40, 41 and 43.

Amendment 20, in clause 2, page 2, line 40, at end insert
“and shall include any agreement to which the UK is party by virtue of membership of a free trade association, including the European Free Trade Association”.

This amendment would make it clear that the implementation powers under the Act would apply equally to implementation of any free trade agreement to which the UK is party through EFTA.

Amendment 5, in clause 2, page 2, line 40, at end insert—
“(7A) No regulations made under subsection (1) shall preclude the United Kingdom from participating in a customs union with the European Union following exit day.”

This amendment allows for the implementation of international trade agreements while leaving open the possibility of negotiating a customs union with the EU.

Amendment 1, in clause 6, page 4, line 10, at end insert—
“(aa) the conduct of trade within a customs union within the meaning of section 31 of the Taxation (Cross-border Trade) Act 2018.”

Amendment 21, in clause 6, page 4, line 10, at end insert—
“(aa) the consequences for the UK of membership of the European Free Trade Association.”

This amendment would place a duty on the TRA to give advice to the Secretary of State on the consequences of membership of EFTA.

Government amendments 44 to 48 and 51 to 57.

Amendment 5, in clause 2, page 2, line 40, at end insert—
“(aa) the conduct of trade within a customs union within the meaning of section 31 of the Taxation (Cross-border Trade) Act 2018.”

Amendment 21, in clause 6, page 4, line 10, at end insert—
“(aa) the consequences for the UK of membership of the European Free Trade Association.”

This amendment would place a duty on the TRA to give advice to the Secretary of State on the consequences of membership of EFTA.

Amendment 1, in clause 6, page 4, line 10, at end insert—
“(aa) the conduct of trade within a customs union within the meaning of section 31 of the Taxation (Cross-border Trade) Act 2018.”

Amendment 21, in clause 6, page 4, line 10, at end insert—
“(aa) the consequences for the UK of membership of the European Free Trade Association.”

This amendment would place a duty on the TRA to give advice to the Secretary of State on the consequences of membership of EFTA.

Government amendments 59 and 60.

George Hollingbery: There is a wide range of issues covered by this final group of amendments we are debating today. I therefore propose to focus on the Government amendments in my opening remarks.

We are committed to creating a world-class Trade Remedies Authority. That is why Government have already begun recruiting TRA staff into the Department for International Trade, so that they can be properly trained before the TRA becomes fully operational. Once the TRA is legally established, staff who have been recruited into the Department will be transferred over to the TRA. Government new schedule 1 and Government amendments 34, 40, 41 and 48 clarify the scope of the powers in clause 1 and 2. Amendments 59 and 60 update references to data protection legislation, and amendments 31, 35, 43, and 51 to 57 are drafting changes.

Judith Cummins (Bradford South) (Lab): It is a pleasure to follow the Minister and to contribute to the Report stage of this important Bill.

I rise to propose amendment 80, in my name and that of my hon. Friends, on the Trade Remedies Authority, and to speak to the other clauses and amendments in this group. Labour supports new clause 5 and our own amendment 5 on the implementation of a customs union with the EU. Labour’s policy is for a new customs union with the EU to protect jobs and the economy, and to avoid a hard border in Northern Ireland. We will also be supporting new clause 18, as it keeps open the possibility of a customs union with the EU.

My Labour colleagues and I tabled amendment 5, which requires that any international trade agreement must not stop the UK participating in a customs union with the EU. This is in line with our party’s policy to negotiate a new customs union with the EU. As the Bill deals with international trade agreements, we wish to ensure that no other trade agreements impede on the UK’s capacity to enter into such a new customs union with the EU.

On new clause 18, as I have said, Labour believes that the only way to deliver frictionless trade and to prevent a hard border in Northern Ireland is to negotiate a comprehensive customs union with the EU. The Chequers White Paper published by the Government put forward a different proposal. We think that the so-called “facilitated customs arrangement” is unnegotiable, undeliverable and unworkable, but it at least accepts the need for frictionless trade and to prevent a customs border between the UK and the EU.

I turn to the Trade Remedies Authority and amendment 80 in my name and that of my hon. Friends, and amendment 22. The Government made no major improvements to the Bill with regards to the Trade
Remedies Authority, despite the unanimous criticism that was presented by business, trade unions and experts in the Bill Committee. Gareth Stace of UK Steel warned us:

“If we get this...wrong, we become the dumping ground—not just in Europe, but for the rest of the world.”—[Official Report, Trade Bill Committee, 23 January 2018, c. 66, Q127.]

The Trade Bill sets up the Trade Remedies Authority and I am afraid that the Government have got it wrong.

At the time, we tabled amendments aiming to establish robust procedures for appointing non-executive members of the Trade Remedies Authority and to make it answerable to Parliament. Most importantly, we tabled an amendment seeking to ensure that the Trade Remedies Authority includes in its non-executive members representatives of producers, trade unions and each of the devolved Administrations. We therefore support the principle of amendment 22, as it calls for representatives of UK manufacturing sectors and trade unions to be included in the corporate governance of the TRA. It is a shame that the amendment has omitted representation of the devolved Administrations on the TRA board. That is why we have tabled amendment 80, which would have representatives of producers, trade unions and each of the devolved Administrations included among the non-executive members of the Trade Remedies Authority.

We also welcome amendment 30 in the name of the hon. Member for Dundee East (Stewart Hosie), which calls for Scottish and Welsh Ministers to give their consent to the appointment of one non-executive member to the TRA from each devolved nation. We regret that there is no mention of Northern Ireland in the amendment, and we believe that the amendment’s purpose is also served by our amendment 80.

Finally, we support the Government’s new schedule 1, allowing them to move staff from the DIT to the TRA.

Stephen Hammond (Wimbledon) (Con): It is a great pleasure to speak on Report and I rise to support new clause 9, amendments 20 and 21 and new clause 18. Let me start briefly with new clause 9. We are leaving the European Union and I accept the result of the referendum, but that referendum did not tell this House and this Parliament how we should do so. That is what Parliament is here to decide and what it is going to do.

I think the Common Market principles are the best way to leave the EU. The Common Market principles that I am referring to are the removals of barriers for trade between the United Kingdom and the EU and the protection and development of complex supply chains across the continent, which will protect, as my right hon. Friend the Member for Broxtowe (Anna Soubry) said yesterday, the jobs and livelihoods of our constituents. As we leave the European Union, I believe that should be the key priority of this House.

New clause 9 refers to the European economic area and the European Free Trade Association. EEA and EFTA members incorporate most of the single market regulations. Most goods are not checked for compliance with EU regulations at the border and I think that would go a long way to mitigate complex supply chains and the Irish border issue, as well as the potential congestion at UK ports. That is one reason I support the White Paper; it refers to a common rulebook.

John Redwood: Does my hon. Friend understand that last year 21% of all the components needed for making cars under just-in-time principles came from outside the EU and passed our borders without friction or difficulty?

Stephen Hammond: My right hon. Friend has just made the point that 79% of them do, and in business I was always taught the 80/20 rule, which I would advise him to apprise himself of.

As I was saying, the White Paper is very similar to the common rulebook, and that I think is appropriate. I will not daily too long on clause 9, but I think that the EEA-EFTA, as an institutional structure, is off the shelf, tested and something the EU is familiar with and which we could engage with. I accept, however, that the White Paper sets out a different direction, and I want to make sure we keep the White Paper and the plan negotiated and moving forwards.

What I really want to talk about tonight is new clause 18. I would contend, and I say to my Front Bench, that new clause 18 is exactly in line with their White Paper. It says that, “it shall be the objective of Her Majesty’s Government to achieve the implementation of an international agreement to enable the United Kingdom to establish a frictionless free trade area for goods between the UK and the EU.” That is absolutely in line with the White Paper. What causes the Government and others in the House concern is the word “union”.

George Hollingbery: It might help if I could advise the House that, in recognition of contributions from right hon. and hon. Members today, it is my intention to bring forward an amendment in the other place—[Laughter.] If I may. [Interruption.] If I may. Thank you.

Mr Speaker: Order.

George Hollingbery: It is my intention to bring forward an amendment in the other place that takes in the essence of new clause 18 but removes the defective element relating to the customs union. The Government amendment will restate our intention to establish a customs arrangement with the EU. [Interruption.]

Mr Speaker: Order. We must hear the hon. Member for Wimbledon.

Stephen Hammond: Very few people ever say that, Mr Speaker.

It is a generous offer from the Front Bench, and one that I am tempted to accept, but I would say to the Minister: let’s do this the other way around. I will make him a generous offer. Why does he not accept new clause 18 today and then amend it in the Lords? [HON. MEMBERS: “Hear, hear!”] I will tell the House why. Subsection (2) of my new clause is entirely in line with the European Union (Withdrawal) Act 2018, which is now part of our law in this country, the House having passed it. All it says is that it should be the objective, after 21 January, which date is in clause 13(10) and (11).

Had I used any other word than “union”, the Front Bench would have accepted it. Frankly, I do not see the problem. Yesterday, we took several amendments that we were told did not undermine the Bill, and this does not undermine the Bill either. It keeps the plan on the road. I say to my Front Bench in all good faith: why not
do it this way round? Accept new clause 18 now and I will work with them to find something in the Lords that they find acceptable.

**George Hollingbery:** It is the policy of the Government not to remain part of a customs union. That is why we cannot accept the amendment today. Clearly, we would not be able to implement any independent free trade deals and would still be a member of the commercial policy. We are absolutely clear that we wish to work with my hon. Friend to reach an agreement that is satisfactory to him. We will do that in the Lords over the next several weeks and come to a conclusion on this matter.

**Stephen Hammond:** The Minister is a generous man—

**Anna Soubry** (Broxtowe) (Con): And a good man.

**Stephen Hammond:** And a good man, as my right hon. Friend says, and I know that he is fulfilling the Government’s wishes. But I remind him that I stood on a Conservative manifesto that said we were leaving “the” customs union. New clause 18 does not commit us to “the” customs union. It commits us to “a customs union”, which is a customs arrangement or a customs partnership. There is a slight deviation in the definition. This absolutely does not affect our ability to engage in international trade, for other customs unions with the EU are already in place. So I ask the Minister to think again during the 25 minutes before we vote on this matter, and to accept new clause 18.

**Dr Paul Williams** (Stockton South) (Lab): I do hope that we can vote on new clause 17. NHS patients will not be helped if we leave the European Medicines Agency. Being part of the EMA means that when a new drug is developed, a common set of protocols is followed to get that medicine approved. The UK is a world leader in pharmaceuticals and biomedical sciences. We have been the driving force behind the EMA, which has provided significant employment and revenue here in London, and has helped to raise and maintain standards for patients throughout Europe. We have already lost the EMA to Amsterdam, but although we have lost it geographically, we still have the chance to be part of the European medicines regulatory network partnership, and continue to benefit from the work of the EMA.

There are three big markets for new drugs in the world: the United States, Japan and the EU. Companies already have to follow different processes to get their drugs approved in those countries, but, together with the EU, we are part of a single powerful bloc that represents 22% of the global pharmaceutical market. Companies prioritise getting their drugs to us, because we provide a single European system. If we leave the EMA, we will have only 3% of the global market. Quite simply, we will not be a priority for new drugs. Switzerland and Canada have separate approval systems, and typically get their new drugs six months later than the EU. That is the cost of leaving the EMA: a six-month delay. Try explaining to a patient that a new life-saving cancer drug will not be available to them because we left the EMA!

So why are we leaving? Our life sciences industry is not complaining about EU “red tape”; it likes the common system. According to the Association of the British Pharmaceutical Industry,

Creating a standalone UK regulator would require significant resource, time and expertise, and...would still leave the UK behind the US and EU.

We are leaving the EMA because people voted to leave the EU, but how many people knew that when they voted to leave the EU, they voted to increase the cost of new medicines regulation, a cost that will be passed on to the NHS: to reduce the UK’s international influence and excellence in this area of life sciences; and to delay access to new drugs for cancer patients? New clause 17 asks that we “take all necessary steps” to continue to participate in the European medicines regulatory network partnership. We could do that by remaining a member of the EU, by becoming a member of the European Free Trade Association, or by negotiating an associate membership of the EMA.

We are already seeing the high cost of Brexit to the NHS. We are seeing an exodus of EU staff which is making recruitment challenges much harder, we are seeing the threat to the supply chain if we leave the customs union, and now we face delays in the delivery of new drugs to cancer patients. It does not have to be this way. I will be voting for new clause 17 tonight, and I hope that Members in all parts of the House will put the interests of NHS patients above Brexit ideology and join me in voting to remain part of the European medicines regulatory partnership.

**Dr Phillip Lee** (Bracknell) (Con): It is a pleasure to follow the hon. Member for Stockton South (Dr Williams), who is a co-signatory to my new clause 17, as are other medically qualified Members: the hon. Member for Central Ayrshire (Dr Whitford) and my hon. Friend the Member for Totnes (Dr Wollaston), the Chairman of the Health Committee.

We all recognise the importance of remaining part of the European medicines regulatory network partnership. New clause 17 would make it a “a negotiating objective” for the Government to secure an agreement that would allow the United Kingdom to continue to participate fully in the partnership. This is vital because it is how we get our people and our NHS the medicines they need. It is also important for our pharmaceutical sector, about which my right hon. Friend the Prime Minister has observed that it is hard to think of an industry of greater strategic importance to Britain and that does so much to improve the lives of patients around the world.

Let me explain further. The European medicines regulatory network partnership makes the process of accessing life-saving new medicines and moving medicines quick and easy. If we leave that partnership, the NHS would get ground-breaking new drugs like those for cancer, dementia and diabetes long after other parts of the world. That is because pharmaceutical companies will apply for licences in the much larger American, European and Asian markets before they come to the UK. It would also be harder to get the medicines we need when we need them. This is particularly worrying for time-critical drugs and equipment. For example, some of the trauma treatments used for victims of last year’s Manchester Arena bombing were stocked in Amsterdam; we got them straightaway because there were no borders or checks. After Brexit we could, in effect, create a hard border so this would not be so easy.
5.45 pm

Antoinette Sandbach (Eddisbury) (Con): AstraZeneca has a supply line of 4,000 people in the north-west. They assist in the manufacturing of a cancer drug that is exported to Europe. Without that export to Europe it would not be viable, because it helps 130,000 people across Europe. Does my hon. Friend agree that remaining in the European Medicines Agency would allow such frictionless trade to carry on?

Dr Lee: I do. A number of pharmaceutical companies have already made plans for no deal by taking warehouse space to import drugs in advance of 29 March so that patients do not go without their medications.

Dr Sarah Wollaston (Totnes) (Con): Evidence to the Health and Social Care Committee overwhelmingly showed the importance to patients of our maintaining close regulatory alignment not only here, but across the EU. Does my hon. Friend agree with the Committee that we must do more to publish the contingency planning and the consequences of not maintaining alignment so that the public can see this?

Dr Lee rose—

Mr Speaker: Order. We must hear the response to that question, but we must also hear from other Members, including the Father of the House.

Dr Lee: I will be as brief as possible, Mr Speaker.

Yes, I do agree with my hon. Friend. Friend’s comments. Every month 45 million patient-packs of medicine go to the EU from the UK and 37 million packs move the other way. It is hard to think of a single other product that illustrates so well the importance of frictionless trade.

This amendment supports the Government’s intentions as explained in the Prime Minister’s Mansion House speech and their White Paper, but we must go further and enshrine them in law because of the very real impact on people’s lives, on the NHS’s ability to operate, on the industry, and on investment in the UK. That is why I will press this new clause to a vote.

I will also support new clause 18 this evening. Yesterday was the worst experience in politics I have had in eight years, and I am sorry that it has changed the dynamic. I started the week intending to support our Prime Minister in her deal and the White Paper. Yesterday changed that, and that is why I will be supporting other colleagues on these Benches when we come to new clause 18 this evening.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I shall speak briefly on new clause 11 in my name and the names of 20 of my Co-operative party colleagues—the Co-operative party being the third largest party in this House, despite what some in here say.

New clause 11 simply asks the Secretary of State to make an assessment of slavery and servitude as part of any new trade deals. Modern slavery is a stain on society and we in this country are making great headway in tackling it through the Modern Slavery Act 2015, particularly sections 1 and 54, but, sadly, slavery is all too apparent in some parts of the world. Most people in this room will be wearing an item of clothing that has been made by a slave, and we should be using our international prowess and purchasing power to try to deliver a reduction in slavery and servitude.

Amendment 22, which was very kindly tabled by the hon. Member for Stafford (Jeremy Lefroy), supported by the hon. Member for St Austell and Newquay (Steve Double), relates to trade remedies. The British Ceramic Confederation has worked very hard on this. I shall also be supporting amendment 80, because that will also help to protect our manufacturing base.

Mr Kenneth Clarke (Rushcliffe) (Con): I shall be voting for new clauses 9, 17 and 18. I will not repeat the very eloquent arguments that have already been put forward by my hon. Friend the Member for Wimbledon (Stephen Hammond), the hon. Member for Stockton South (Dr Williams) and my hon. Friend the Member for Bracknell (Dr Lee), who have put the case perfectly. I do not see any answer to it. The only question I wish to pose relates to my understanding that the Government are resisting these new clauses, which I find completely incomprehensible, particularly since yesterday. I personally cannot see why we are leaving the single market and the customs union, because that does not follow on from the referendum at all. However, I accept that staying in them has been ruled out and, in the spirit of getting a reasonably broad compromise, I am prepared to give the Government a chance to produce some other version that will preserve totally frictionless trade and no barriers to trade and investment with Europe, if they think that there is one. Therefore, I would not press new clauses 1 and 5 to a vote, and I do not think that my right hon. Friend the Member for Broxtowe (Anna Soubry) would do so. Let us give the White Paper a chance, which is what new clause 18 does. What I do not understand, given that the White Paper also supports keeping our present arrangements, if we can, by remaining within the European Medicines Agency, is why on earth these proposals are being resisted.

Yesterday, I was astonished that the Government used a three-line Whip to secure a majority for my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) and his European Research Group faction, which they only just managed to do, by chance. The Government actually whipped my party to defeat their own policy, as set out in the White Paper. Today, we have amendments that are entirely consistent with the White Paper, but the Government are so terrified of the Daily Mail, The Daily Telegraph and the European Research Group that they are now applying the whip to try to defeat these measures. I really hope that they will go away for the summer and have a good rest—perhaps they should lie in a quiet, dark room at some stage—then come back and tell us exactly how they intend to negotiate these serious matters relating to the future of our country.

Several hon. Members rose—

Mr Speaker: Order. Two-minute speeches are now required.

Mr Leslie: Surely new clause 17 is a no-brainer. If we are going to preserve anything, we must surely keep the frictionless flow of medicines and treatments for our national health service going. If ever there were an example of an ideology getting in the way of common sense, it would be that of a hard Brexit attitude physically placing itself at the border in the way of the free flow of
those medicines. We know that 45 million packages of medicines cross that border every month. That is how essential this is, so new clause 17 has to be supported.

New clause 18 has been tabled by the hon. Member for Wimbledon (Stephen Hammond). I have to say to him that he is being incredibly generous to the Government in relation to this proposal. He is giving them the benefit of the doubt on the free trade area in goods. It is true that, whatever we get, the lowest common denominator will be a free trade area in goods. We will have to get that. But frankly, I am really quite surprised by the way in which some Conservative Members have been treated by the Government in respect of the ERG amendments—all of which were accepted without any objection—when some of them are trying their best to preserve the Prime Minister’s Chequers plan. Those Conservative Members are being very generous, but I think it is reasonable to put in place a safety net in the form of a customs union in January. I hope that, on this one occasion, we can put party politicking to one side and do the right thing for our country.

Mr Speaker: Thank you. Two minutes, please. I call John Redwood.

John Redwood: Every day, a large number of components come into our country from outside the EU and they meet the deadlines of the just-in-time systems, as do the components from the EU. My hon. Friend the Member for Wimbledon (Stephen Hammond) should understand that you cannot send a car out with only 79% of its components assembled because they are the ones that came from the EU. Manufacturers send their cars out with 100% of their components, including the non-EU ones, which are coming in perfectly well. More than half our trade is done with non-EU countries that are not part of the single market or the customs union. We have already thought about the need to get rid of frictions on the borders for non-EU trade. We have worked internationally through the WTO which, through its trade facilitation agreement, has several instructions for us and for the EU to ensure that there is a minimum of friction at the border for non-EU, non-customs-union trade as well, which is why our manufacturers can work with it.

EU trade is not without administration and bureaucracy. The Intrastat declaration must be made, the commodity code must be identified, the VAT has to be settled and the excise must be settled if necessary. Those things are not done at the border. The lorry drivers do not have to stand in a queue while trying to work things out. When we are outside the EU’s customs union, the situation will be the same for everything else that does not come in within the customs union framework. This is the modern world. It is electronic. There are computers. There is the off-site settlement of taxes and of customs. The WTO knows about that.

The future for us will be great, but we must be free to have our own international trade policy and our own agreements with countries other than those in the EU. We must have the ability to set out our laws and spend our own money. The British public would expect no less of this Parliament, and they will not accept any haggling of their decision to leave the EU.

Mr Speaker: For less than two minutes, I call Emma Reynolds.

Emma Reynolds (Wolverhampton North East) (Lab): If the customs union is not important, why have BMW, Jaguar Land Rover and Airbus suggested that they need to keep the current border arrangements? If we are to preserve just-in-time manufacturing in this country—Jaguar Land Rover is on the outskirts of my constituency—we must either have a customs union or find an equivalent, as suggested by the hon. Member for Wimbledon (Stephen Hammond), who is being patient with the Government. The suggestion from some Members, as we have just heard, that the customs union or an equivalent is not important flies in the face of the evidence and what businesses up and down the country are telling us.

Nicky Morgan (Loughborough) (Con): I will necessarily keep my remarks extremely brief. I cannot match the magnificence of my right hon. Friend the Member for Breckwote (Anna Soubry) when she spoke yesterday, but let me say the following to the Chamber. Brexit is a matter of national interest. It is time to put party politics aside, which is why I welcome the fact that Labour Members are open to supporting the Chequers proposals, as captured in new clause 18, which I rise to support. I hear what the hon. Member for Bradford South (Judith Cummins) said about her scepticism regarding whether the proposals could work, but the Prime Minister did the right thing in the national interest by putting on the table a workable, practical proposal, captured at Chequers, that could be negotiated with the EU.

Greg Hands: Will my right hon. Friend give way?

Nicky Morgan: No. Some Government Members chose to try to scupper that agreement and those proposals yesterday. Some of us tried to stop that; but sadly, we failed. What is proposed in new clause 18—I am delighted to join my hon. Friend the Member for Wimbledon (Stephen Hammond) in proposing it—is eminently sensible. We want to give the Prime Minister space for the negotiations, and it is clear that there is a majority in this House for a customs union to safeguard business, jobs and our constituents’ future financial security. I hope that the House will have the opportunity to demonstrate that shortly.

Angus Brendan MacNeil: The majority of the world’s countries are in a customs union. We need to be in a customs union and, I would argue, the single market. The damage that will result from not being in those two things and instead having a free trade, or less trade, agreement with the EU will be 6% of GDP. The panacea often offered is the United States of America, but the US will counter that drop to the tune of 0.2%. To make up for the damage that will be done by not being in the customs union and the single market, we need 30 US-style agreements. The US has a population of about 300 million, and a deal with it will yield a 0.2% gain in GDP. By that arithmetic, we need to make US-style agreements with about 9 billion people, but there is one problem for the Brexiteers: the population of the world is only about 9 billion people, but there is one problem for the Brexiteers: the population of the world is only about 9.4 billion. They should be listening to their friends and colleagues and making absolutely sure that they are not playing fast and loose with jobs, security, employment and with the life chances of people in the UK, young and old. It is a pity for me that Scotland is hitched to this lot at the moment.
Greg Hands: There are three or four very strong arguments not to be in a customs union as outlined in new clause 18. First, being in a customs union puts massive restrictions on having an independent trade policy. Trade agreements are all about WTO schedules, and if we are in a customs union, we cannot have our own WTO schedules. Secondly, who would run trade remedies in such a position? Would trade remedies be run in London or would they be run in Brussels, and in whose interest? With British jobs and British companies on the line, it is incredibly important that we have the ability to run trade remedies.

Thirdly, on the subject of trade preferences, we want to do better for the developing world. Being in a customs union would prevent that. Finally—

6 pm

Debate interrupted (Programme Order, this day).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the schedule be read a Second time.

Question agreed to.

New schedule 1 accordingly read a Second time, and added to the Bill.

Clause 5

The Trade Remedies Authority

Amendment made: 58, in clause 5, page 4, line 6, at end insert—

"(3) Schedule (Transfer Schemes) contains provision about schemes for the transfer of staff in connection with the establishment of the TRA.”—(George Hollingbery.)

This amendment introduces new Schedule (Transfer Schemes) which provides that the Secretary of State can make a scheme providing for the transfer of staff from the Secretary of State to the Trade Remedies Authority.

Schedule 4

The Trade Remedies Authority

Amendment proposed: 80, in schedule 4, page 14, line 35, at end insert “including representatives of—producers, trade unions, and each one of the devolved administrations.”

This amendment would ensure that the Trade Remedies Authority includes, among its non-executive members, representatives of key stakeholder bodies.

Question put, That the amendment be made.

The House divided: Ayes 295, Noes 314.

Division No. 221] [6.1 pm

AYES

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
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
Cuddas, Jon
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
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
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
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Fitzpatrick, Jim
Finn, rh Caroline
Fogarty, Yvonne
Fovargue, Vicky
Frisch, 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
Hanson, rh Mr David
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
Hiller, Mr Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diane
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
Laid, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Law, Ian
Law, Chris
Lee, Karen
Leffroy, Jeremy
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive

NOES

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amessbury, Mike
Antoniuzzi, Tonya
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
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
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin

Gaffney, Hugh
Gates, 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
Hanson, rh Mr David
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
Hiller, Mr Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diane
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
Laid, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Law, Ian
Law, Chris
Lee, Karen
Leffroy, Jeremy
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Afolami, Bim
Adams, Nigel
Adams, Nigel
Reynolds, Emma
Reeves, Rachel
Reeves, Ellie
Rees, Christina
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorin, Anna
Meams, 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
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
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
Saville Roberts, Liz
Shah, Niaz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Sneath, Ruth
Smith, Angela
Smith, Eleanor
Smith, Laura
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Tariq, Tariq
Theil, Mr Philip
Theil, John
Storrier, John
Storer, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Tariq, Tariq
Theil, Mr Philip
Theil, John
Storrier, Chris
Stevens, Jo
Stone, Jamie

Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriet
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Clive
Bolles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Alex
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brookishere, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Cautfield, Maria
Chalk, Alex
Chisholm, Rehan
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kennedy
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mr David
Dinnenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodd, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donnies, Ms Nadine
Double, Steve
Downen, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evenneth, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Mr Nusrat
Gibb, rh Nick
Gillan, Mr Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gymiah, 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, Mr Mr John
Heald, rh Sir Oliver
Heappey, James
Heatons-Harris, Chris
Heatons-Jones, Peter
Henwood, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollottone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy

Tellers for the Ayes:
Chris Elmore and
Jeff Smith

NOES
Adams, Nigel
Afkire, Adam
Aldous, Peter
UK participation in the European medicines regulatory network

“(1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement, which enables the UK to fully participate after exit day in the European medicines regulatory network partnership between the European Union, European Economic Area and the UK. This new clause would ensure that it is a negotiating objective for the UK Government to secure an international agreement through which the UK may continue to participate in the European medicines regulatory network partnership between the EU, EEA and the UK. This new clause would ensure that patients continue to have access to high-quality, effective and safe pharmaceutical and medical products, fully aligned with the member states of the EU and EEA.

Brought up.

Question put. That the clause be added to the Bill.

The House divided: Ayes 305, Noes 301.

Division No. 222

AYES

Abbott, rh Ms Diane
Alberini, Heidi
Allen, Heidi
Allin-Khan, Dr Rosena
Amess, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
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
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
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
Coyne, Neil
Crawley, Angela
Creagh, Mary

Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Noes:
Mims Davies and
Kelly Tolhurst

Question accordingly negatived.

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
Creasy, Stella
Cruddas, Jon
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
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
Djanogly, Mr Jonathan
Doughty, Stephen
dowd, Peter
Drew, Dr David
dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
edwards, Jonathan
Efford, Clive
Elliot, Julie
eillman, Dame Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
fellows, Marion
Field, Mrs Frank
fitzpatrick, Jim
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
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hammond, Stephen
Hanson, rh David
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
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Husain, 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, Je Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lamy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Philip
Lefroy, Jeremy
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Mike
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahlomod, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCarty, Keryn
McDonagh, Siobhan
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, rh Nicky
Morgan, Stephen
Morris, Graham
Murray, Ian
Nandy, Lisa
Neill, Robert
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Je Liz
Phillipson, Bridget
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
Sandbach, Antoinette
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Adams, Nigel
Afolami, Bim
Afrinjie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, Stephen
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Smell, Gareth
Sobel, Alex
Soubry, rh Anna
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
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
Wollaston, Dr Sarah
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel
Tellers for the Ayes:
Jeff Smith and
Chris Elmore

NOES
Baron, rh Mr John
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowen, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
New clause 17 added to the Bill.

Question accordingly agreed to.

New clause 17 added to the Bill.
New Clause 18

FREE TRADE AREA FOR GOODS

(1) Before exit day it shall be the objective of Her Majesty’s Government to achieve an international agreement to enable the United Kingdom to establish a frictionless free trade area for goods between the UK and the EU.

(2) If an international agreement of the type set out in subsection (1) has not been agreed by 21st January 2019 then it shall be the objective of Her Majesty’s Government to achieve the implementation of an international agreement which enables the United Kingdom to participate after exit day in a customs union with the EU.

(3) “Exit day” shall have the meaning set out in section 20 of the European Union (Withdrawal) Act 2018.”

This new clause would make it a negotiating objective of the UK to establish a free trade area for goods between the UK and the EU and if that cannot be agreed then it should be the objective of the UK to secure an agreement to enable the UK’s participation in a customs union with the EU.

Brought up.

Stephen Hammond: With a heavy heart, I beg to move, That new clause 18 be added to the Bill.

Question put.

The House divided: Ayes 301, Noes 307.

Division No. 223

AYES

Abbott, rh Ms Diane  
Ali, Rushanara  
Allen, Heidi  
Allin-Khan, Dr Rosena  
Amess, Mike  
Antoniassi, Tonia  
Ashworth, Jonathan  
Austin, Ian  
Bailey, Mr Adrian  
Barron, rh Sir Kevin  
Bebb, Guto  
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  
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  
Cowen, Ronnie  
Coyle, Neil  
Crawley, Angela  
Creagh, Mary  
Creasy, Stella  
Cruddas, Jon  
Cummins, Judith  
Cunningham, Alex  
Cunningham, Mr Jim  
Daby, Janet  
Dakin, Nic  
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  
Djanogly, Mr Jonathan  
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  
Esterson, Bill  
Evans, Chris  
Farrelly, Paul  
Farron, Tim  
Fellows, Marion  
Fitzpatrick, Jim  
Fint, rh Caroline  
Fovargue, Yvonne  
Foxcroft, Vicky  
Frit, James  
Furniss, Gill  
Gaffney, Hugh  
Gapes, Mike  
Gardiner, Barry  
George, Ruth  
Gethins, Stephen  
Gibson, Patricia  
Gill, Preet Kaur  
Gladstone, Mary  
Godsiff, Mr Roger  
Goodman, Helen  
Grady, Patrick  
Grant, Peter  
Gray, Neil  
Green, Kate  
Greenwood, Lilian  
Greenwood, Margaret  
Grieve, rh Mr Dominic  
Griffiths, Nia  
Grogan, John  
Gwynne, Andrew  
Haigh, Louise  
Hamilton, Fabian  
Hammond, Stephen  
Hanson, rh Dav  
Hardy, Emma  
Harman, rh Ms Harriet  
Harris, Carolyn  
Hayes, Helen  
Hayman, Sue  
Healey, rh John  
Hendrick, Sir Mark  
Hendry, Drew  
Heppburn, Mr Stephen  
Hermon, Lady  
Hill, Mike  
Hiller, Meg  
Hobhouse, Wera  
Hodge, rh Dame Margaret  
Hodgson, Mrs Sharon  
Holliern, 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  
Lee, Dr Phillip  
Leslie, Mr Chris  
Lewell-Buck, Mrs Emma  
Lewis, Olive  
Lewis, Mr Ivan  
Linden, David  
Lloyd, Stephen  
Lloyd, Tony  
Long Bailey, Rebecca  
Lucas, Caroline  
Lynch, Holly  
MacNeil, Angus Brendan  
Madders, Justin  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Malhotra, Seema  
Marsden, Gordon  
Martin, Sandy  
Maskell, Rachael  
Matheson, Christian  
Mc Nally, John  
McCarthy, Kerry  
McDonagh, Siobhaine  
McDonald, Andy  
McDonald, Stewart Malcolm  
McDonald, Stuart C.  
McDonnell, rh John  
McFadden, rh Mr Pat  
McGinn, Conor  
Mc Govern, Alison  
McInnes, Liz  
McKinnell, Catherine  
McMahon, Jim  
McMorris, Anna  
Meams, Ian  
Miliband, rh Edward  
Monaghan, Carol  
Moon, Mrs Madeleine  
Moran, Layla  
Morden, Jessica  
Morgan, rh Nicky  
Morgan, Stephen  
Morris, Grahame  
Murray, Ian  
Nandy, Lisa  
Neill, Robert  
Newlands, Gavin  
Norris, Alex  
O’Hara, Brendan  
Onasanya, Fiona  
Onn, Melanie  
Onwurah, Chi  
Osamor, Kate  
Owen, Albert  
Peacock, Stephanie  
Pearce, Teresa  
Pennycook, Matthew  
Perkins, Toby
Phillis, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qireshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruan, Chris
Russell-Moyle, Lloyd
Sandbach, Antoinette
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, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smithy, Karin
Snell, Gareth
Sobel, Alex
Soubry, rh Anna
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Tami, Mark
Thewiss, 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
Willhert, Pete
Wollaston, Dr Sarah
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Chris Elmore

NOES
Adams, Nigel
Afroze, Bim
Afroze, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowis, Andrew
Bradley, Ben
Bradley, rh Karen
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davis, rh Mr David
Dinenage, Caroline
Docherty, Leo
Dodds, rh Nigel
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh 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
Foster, Kevin
Foxx, rh Dr Liam
François, rh Mr Mark
Frazer, Lucy
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
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
Hoaere, Simon
Hoey, Kate
Hollingbery, 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, Margaret
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
Kacwyszynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
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, John
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merriner, Johnny
Merriman, Huw
Metcalfe, Stephen
This amendment provides that the power in clause 1 can be exercised to confer a power to make subordinate legislation. “Retained direct EU legislation” is defined in the Interpretation Act 1978.
Clause 4

INTERPRETATION OF PART 1

Amendments made: 51, page 3, leave out lines 27 and 28

This amendment omits the definition of “exit day”, which is no longer needed now the relevant amendments to the Interpretation Act 1978 made by the European Union (Withdrawal) Act 2018 are in force.

Amendment 52, page 3, line 28, at end insert—

“‘free trade agreement’ means an agreement that is or was negotiable under—

(a) paragraph 7(a) of Article XXIV of GATT, or

(b) paragraph 7(a) of Article V of GATS;”

This amendment defines “free trade agreement” for the purposes of Part 1. The definition is in the same terms as the current definition in clause 2(7).

Amendment 53, page 3, line 32, at end insert—

“‘international trade agreement’ means—

(a) a free trade agreement, or

(b) an international agreement that mainly relates to trade, other than a free trade agreement;”

This amendment defines “international trade agreement” for the purposes of Part 1. The definition is in the same terms as the current definition in Clause 2(2).

Amendment 54, page 3, leave out lines 38 and 39

This amendment omits the definition of “retained EU law”, which is no longer needed now the relevant amendments to the Interpretation Act 1978 made by the European Union (Withdrawal) Act 2018 are in force.

Amendment 55, page 3, line 39, at end insert—

“‘subordinate legislation’ has the same meaning as in section 21 of the Interpretation Act 1978;”

This amendment defines “subordinate legislation” for Amendment 41.

Amendment 56, page 3, line 41, at end insert—

‘(2) In this Part a reference to being a signatory to an international trade agreement includes a reference to—

(a) exchanging instruments, where the exchange constitutes the agreement;

(b) acceding to the agreement.

(3) In this Part a reference to ratifying an international trade agreement is a reference to doing an act specified in subsection (4) which establishes consent to be bound by the agreement as a matter of international law.

(4) The acts are—

(a) depositing or delivering an instrument of ratification, accession, approval or acceptance;

(b) depositing or delivering a notification of completion of domestic procedures.”

This amendment provides for references in Part 1 to being a “signatory” to an international trade agreement to be read as covering doing anything that would amount to a consent to be bound by the agreement as a matter of international law. It also provides for references to “ratifying” an agreement to be read as doing an act that establishes consent to be bound as a matter of international law.

Amendment 57, page 3, line 41, at end insert—

‘(5) References in this Part to anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018 include references to any modifications, made by or under that Act or by other domestic law from time to time, of the rights, powers, liabilities, obligations, restrictions, remedies or procedures concerned.”’—(George Hollingbery.)

This amendment provides for references in Part 1 to anything which is retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018 (directly effective Treaty rights etc) to catch modifications of the rights etc concerned, as well as the rights etc themselves.

Clause 8

DISCLOSURE OF INFORMATION BY HMRC

Amendments made: 59, page 5, line 38, leave out “Data Protection Act 1998” and insert “data protection legislation”

This amendment and amendment 60 reflect the fact that the Data Protection Act 2018 has now replaced the Data Protection Act 1998.

Amendment 60, page 5, line 40, at end insert—

‘( ) In this section “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).”—(George Hollingbery.)

See the explanatory statement for Amendment 59.

Title

Amendment made: 79, line 1 after “the” insert “ratification and”—(George Hollingbery.)

This amendment is consequential on NC12.

Third Reading.

6.44 pm

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): I beg to move, That the Bill be now read the Third time.

Let me begin by thanking right hon. and hon. Members from across the House who have shared their time and expertise to help enhance the Bill. We have spent today on Report thoroughly examining the measures in this short but significant proposed legislation. This followed four days of line-by-line scrutiny in Public Bill Committee.

I would like to thank those who gave oral evidence to the Committee, and the individuals and organisations who provided written evidence and recommendations. I also extend particular thanks to the members of the Committee, on which the hon. Member for Brent North (Barry Gardiner) led for the Opposition and the hon. Member for Aberdeen North (Kirsty Blackman) led for the Scottish National party, for their detailed examination of the Bill and the positive way in which they contributed to debates on its provisions. I would also like to pay particular thanks to my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), who as Minister of State for Trade Policy played a vital role in developing the Bill and in steering it through the preceding parliamentary stages. I, and all my parliamentary colleagues, owe him a great debt.

This is an important Bill. It provides continuity and stability as the UK leaves the European Union for individuals, businesses and our international trading partners. It will be the confident first step that the UK
takes towards establishing itself as an independent trading nation for the first time in over 40 years. As the hon. Member for Brent North concluded on Second Reading:

“The need for a Bill to establish a trade remedies authority, to establish our independent membership of the WTO government procurement agreement, to enable us to maintain strong trading ties with partner countries that have had historical agreements with us through the EU, and to establish the power to collect and share...information—all are uncontroversial requirements.”—[Official Report, 9 January 2018; Vol. 634, c. 221.]

I wholeheartedly concur.

As the UK leaves the EU, the Government are committed to seeking continuity in our current trade relationships. One way we will achieve this is by introducing powers to let us make domestic legislation implementing our independent membership of the Agreement on Government Procurement, or GPA. This continuity is important for both business and the taxpayer. GPA membership will maintain the access of UK businesses to a global public procurement market estimated at £1.3 trillion every year, across major economies such as the United States, Canada and Japan.

Taxpayers and users of public services will also benefit. The GPA has led to increased choice, quality and value for money in the public sector. TheCityUK, which represents financial and related professional services, wrote to the Public Bill Committee to say:

“We fully recognise the need for the UK to become a party to the WTO GPA”.

As it explained:

“The GPA requires that open, fair and transparent conditions of competition be ensured in government procurement...which cover both goods and services”.

The Federation of Small Businesses said:

“it is essential that the UK is able to become an independent member of the GPA, allowing small businesses to have continued access to government contracts and procurement opportunities.”

It is clear that the agreement is of great value to UK businesses and its importance is endorsed by organisations representing their interests.

As an EU member, the UK participates in many trade agreements with partner countries. We want continuity as far as possible in our existing trading relationships with these existing partners. As these agreements account for 12% of the UK’s total international trade, this will be important in preventing disruption to businesses, consumers and workers. The International Trade Committee observed in a recent report that:

“Almost no one who contributed to our inquiry suggested that the Government’s policy objective of seeking continuity was the wrong one.”

Additionally, the Scotch Whisky Association, which I have much pleasure in promoting at home and abroad, has said that

“continuity of current EU trade agreements is vitally important to us”.

British Sugar stated:

“We support the Government’s overriding intention to maintain continuity by replicating existing trade as closely as possible and believe that this is the best means by which to provide certainty to business.”

Continuity for the taxpayer, businesses, consumers and our international partners—that is what this Bill is about. To be absolutely clear, and as I made clear in my statement yesterday, this Bill is not about signing new trade agreements or making substantial changes to existing ones.

Despite many misleading claims to the contrary, the Government will not use measures in the Bill to implement substantially different agreements with existing partner countries. Our policy has always been, and remains, one of securing continuity first and seeking new opportunities second. We have been clear with our trading partners that continuity remains our primary objective, as I made clear earlier this evening. However, as debated on Report, to further reassure the House, the Trade Bill requires the Secretary of State to table a report outlining all the changes made to existing agreements as part of the transition into UK-only agreements. This places in statute the Government’s clear commitment to transparency—to aid appropriate parliamentary involvement, allowing Members of both Houses of Parliament the opportunity to see what changes have been made to secure continuity.

Additionally, the use of the clause 2 power will now be subject to the affirmative resolution procedure, allowing both Houses to debate regulations made under that power. The Government will not use the powers in the Bill to implement the obligations of new free trade agreements—ones with countries with which the EU does not already have a free trade agreement. We consider these to be future trade agreements and we announced this week our proposals for them.

The Bill also provides for the establishment of the Trade Remedies Authority. The World Trade Organisation allows its members to provide a safety net to protect domestic industries against injury caused by unfair trading practices, such as dumping and subsidies, and unforeseen surges in imports. Trade remedies level the playing field and restore the competitive balance. They are key to ensuring an effective rules-based system for international trade. The European Commission is currently responsible for undertaking trade remedies investigations and imposing measures on behalf of the UK. The Government are establishing the TRA to ensure that the UK can continue to provide a safety net for domestic industries after we have left the EU. I am grateful to Members on both sides of the House for the support that they have given on this issue.

Specifically, the TRA will be responsible for making an assessment in a case for a trade remedies measure, based on the evidence available. It will then make impartial recommendations to Ministers. This includes protection from goods that are heavily subsidised or dumped in the UK market at below domestic price. It also includes injury caused by unforeseen surges in imports. The investigative and decision-making framework that the TRA will be responsible for delivering is set out in the Taxation (Cross-border Trade) Bill.

The Government’s commitment to establishing the TRA has been recognised by stakeholders—by both producers and consumers. The Public Bill Committee was told by the British Ceramic Confederation:

“It is clear that we need a TARA, and it is certainly welcome that the Bill establishes one.”—[Official Report, Trade Public Bill Committee, 23 January 2018; c. 64, Q123.]

In its written evidence, consumer organisation Which? stated that it “recognises the need to develop a trade remedies regime and establish a new TARA which will be able to consider the need for remedies objectively, on a case by case basis”. 
As the International Trade Committee also recently acknowledged:

“Establishing a trade defence regime is critical to protect UK domestic industries from injury from adverse trading practices.”

The Committee described the Trade Bill and the Taxation (Cross-border Trade) Bill as “important, necessary steps” and stated that “we welcome the Government’s attention to this subject.”

The Bill also includes measures that will allow HMRC to collect more detailed information on trade and share it with appropriate bodies, primarily the Department for International Trade. This will allow the Government a sharper picture of how the UK trades and where we can best target support for British businesses. These provisions will also ensure that the UK is able to fulfil its international transparency obligations to share data with organisations such as the WTO. This function is currently undertaken by the European Union and it is vital that the UK can take over this responsibility, if we are to operate an independent trade policy.

Appearing as an expert witness before the Public Bill Committee, Professor Winters of the UK Trade Policy Observatory said:

“Information is very important, not least in my trade, for analysing what goes on. The case for collecting reasonable amounts of information, as long as it is cheap to do so, is very strong indeed.”—[Official Report, Trade Bill Public Bill Committee, 23 January 2018; c. 57, Q108.]

In a similar vein, the British Chambers of Commerce told that Committee:

“If, in the future, there can be a more robust collection of data and stronger assessments of UK-third country trade, that would be helpful.”—[Official Report, Trade Bill Public Bill Committee, 23 January 2018; c. 72, Q136.]

Angus Brendan MacNeil: Given the vote just now and that the UK is turning its back on the customs union, we will most likely have a border in Ireland. In that eventuality, we will not have a transition agreement with the Republic of Ireland. If we have a border but no transition agreement, will the Government be ready in March 2019 with the TRA and will they have in place the 40 trade agreements that are vital for industry?

Dr Fox: I do not accept that the Government’s proposals will require a border in Ireland. In fact, the Cabinet took a specific decision to bring forward a proposal to take to the EU that will prevent us from having that border. Nor will we accept a border down the Irish sea, because all parts of the UK, however much the hon. Gentleman might dislike it, will be treated the same by this Government, who are proud to be a Conservative and Unionist Government.

The Bill also brings forward measures that will ensure a joined-up UK approach to implementing the GPA and continuity trade agreements. However, the Government respect the devolution settlement, as reflected by the amendments tabled by the Government on Report and accepted by the House. We have worked closely with the devolved Administrations to make progress towards legislative consent. Let me reiterate the Government’s commitment to not normally using the powers in the Bill in areas of devolved competence without the consent of the devolved Administrations. These powers are primarily here for administrative efficiency. We will not be taking back any powers currently in the hands of the devolved Administrations, however much the nationalists pretend that we will be. In fact, as powers return from Brussels, more will sit with the Scottish, Welsh and Northern Irish Governments than ever before.

As we leave the European Union, we want to provide continuity for businesses, for consumers and for our trading partners. This Bill sets the scene for the United Kingdom’s independent, sovereign trade policy. We will approach that with optimism and confidence. I commend the Bill to the House.

6.57 pm

Barry Gardiner: I thank the Minister for Trade Policy for stepping into the shoes of the right hon. Member for Chelsea and Fulham (Greg Hands) with great aplomb. He has displayed his customary tact in all our engagements and has helped the Government deliver the Bill, despite all the pressures he has faced. I pay tribute to the hon. Member for Huntingdon (Mr Djanogly), who I thought made an exceptionally thoughtful speech on Report and gave the Government a great deal of wise counsel that they might have done better to take even more notice of than they did.

In particular, of course, I want to thank my hon. Friends the Members for Sefton Central (Bill Esterson) and for Bradford South (Judith Cummins) for their exceptional work in preparing for the debates on Report and in Committee. It has been a long process since last October. We were not quite sure whether we would see the Bill this side of the summer recess, or whether it would even resurface before Christmas, but it is a great tribute to them that they were able to scrutinise the Bill with the care it deserved.

I echo the Secretary of State’s remarks about the expert witnesses. It is one of the great features of the innovations over the past 15 to 20 years in this House that expert witnesses now give their testimony to Committees at the beginning and inform our procedures. We certainly benefited hugely from all they said. Of course, I wish that the Secretary of State and the Minister had taken a little more notice of what they said, because they were often extremely critical of the Government, but that was not to be.

Finally, let me apologise to the Government Whips. I am not known in this place for speaking with brevity, and I must apologise to the Whips because when I curtailed my remarks this afternoon, it meant that the session did not go the full length, and I think that they took their wrath out on the Minister for ending it early.

7 pm

Debate interrupted (Programme Order, this day).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the Bill be now read the Third time.

The House divided: Ayes 317, Noes 286.

Division No. 224

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam

Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andreas, Stuart
Arger, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriet
Barclay, Stephen
Baron, Mr John
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
Breer, Jack
Bridge, Andrew
Brine, Steve
Brokenbrow, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Cranstone, rh Paul
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, Mr Kenneth
Clarke, Sir Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glynn
Davies, rh Mr David
Dinwen, Caroline
Djanogly, rh Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Elphicke, Charlie
Evushe, George
Evens, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girling, Rhys
Glen, John
Goldsmith, Zac
Garnier, Mark
Gauke, rh Mr David
Ghani, Mr Nusraft
Gibb, Mr Nick
Gillan, Mr Mark
Frazier, Lucy
Freeman, George
Ferer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garmany, Mark
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, Mr 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
Harrrington, Richard
Harris, Rebecca
Harrison, Trudy
Hat, Simon
Hayes, Mr Rh John
Heald, rh Sir Oliver
Heappye, James
Heaton-Harris, Chris
Heath, Mr Mel
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollingsworth, Mr Philip
Holloway, Adam
Howell, John
Hudson, Nigel
Hughs, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, rh Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, rh Sir Bernard
Jenkyns, Andrew
Jennick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Dr 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
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Dr Julian
Liddel-Grainger, Mr Ian
Lidington, rh Mr David
Little-Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
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
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
Penn, Mr John
Percy, Andrew
Perry, rh Claire
Philip, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quinn, Jeremy
Quin, William
Raab, rh 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
Sculthorpe, 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, Mr Ross
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Ian
Stewart, Rory
Streete, Mr Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomas, Ross
Throup, Maggie
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Trade Bill
17 JULY 2018

Tellers for the Ayes: Misses Davies and Kelly Tolhurst

NOES

Abbott, rh Ms Diane
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzl, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Harriy
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
Caudby, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carden, Dan
Carmona, Sharieb
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clewy, rh Ann
Coaker, Vernon
Coffee, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowen, Ronnie
Coyle, Neil
Crawley, Angelu
Creagh, Mary
Creasy, Stella
Cruddas, Jon

Whittaker, Craig
Whitindingale, rh Mr John
Wiggins, Bill
Williamson, rh Gavin
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
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollick, Karen
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilien, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, rh Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
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
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morr, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
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
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeth, Ruth
Smith, Angela
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Parking (Code of Practice) Bill
(Ways and Means)

Motion made, and Question proposed.

That, for the purposes of any Act resulting from the Parking (Code of Practice) Bill, it is expedient to authorise:

(1) the imposition of a levy for the purpose of meeting expenditure incurred by virtue of the Act, and

(2) the payment of sums into the Consolidated Fund.—(Rishi Sunak.)

7.13 pm

Sir Greg Knight (East Yorkshire) (Con): I am grateful to the Minister for moving this Ways and Means motion. If agreed to by the House, it will allow further consideration of the Parking (Code of Practice) Bill to take place. The Bill has all-party support, and I commend the motion to the House.

7.14 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I want to indicate my support for the Bill. It is an excellent initiative being brought forward by the right hon. Member for East Yorkshire (Sir Greg Knight), and it enjoys much cross-party support. Many of our constituents across the country have been affected by the terrible activities of parking companies, including many in my own constituency, and I offer my wholehearted support for the Ways and Means motion.

7.15 pm

Pete Wishart (Perth and North Perthshire) (SNP): I heartily congratulate the right hon. Member for East Yorkshire (Sir Greg Knight) on securing this important Ways and Means motion. My constituency is also blighted by private parking companies, and I look forward to joining him in Committee to ensure that this issue is resolved.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EUROPEAN UNION

That the draft European Union (Definition of Treaties) (Partnership and Cooperation Agreement) (Turkmenistan) Order 2017, which was laid before this House on 7 November 2017, be approved.—(Craig Whittaker.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Enhanced Partnership and Cooperation Agreement) (Kazakhstan) Order 2017, which was laid before this House on 7 November 2017, be approved.—(Craig Whittaker.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Partnership and Cooperation Agreement) (Turkmenistan) Order 2017, which was laid before this House on 7 November 2017, be approved.—(Craig Whittaker.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft European Union (Definition of Treaties) (Enhanced Partnership and Cooperation Agreement) (Kazakhstan) Order 2017, which was laid before this House on 7 November 2017, be approved.—(Craig Whittaker.)

Question agreed to.
LOCAL GOVERNMENT

That the draft Liverpool City Region Combined Authority (Business Rate Supplements Functions) Order 2018, which was laid before this House on 4 June, be approved. —[Craig Whittaker.] Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

NEW TOWNS

That the draft New Towns Act 1981 (Local Authority Oversight) Regulations 2018, which were laid before this House on 4 June, be approved. —[Craig Whittaker.] Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

BANKS AND BANKING

That the draft Financial Services and Markets Act 2000 (Ring-fenced Bodies and Core Activities) (Amendment) Order, which was laid before this House on 25 June, be approved. —[Craig Whittaker.] Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

INVESTIGATORY POWERS

That the draft Investigatory Powers (Codes of Practice and Miscellaneous Amendments) Order 2018, which was laid before this House on 13 June, be approved. —[Craig Whittaker.] Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EDUCATION

That the draft Higher Education (Fee Limits and Fee Limit Condition) (England) Regulations 2018, which were laid before this House on 2 July, be approved. —[Craig Whittaker.] Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION

That the draft Immigration (Provision of Physical Data) (EU Exit) Regulations 2018, which were laid before this House on 3 July, be approved. —[Craig Whittaker.] The Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until Thursday 18 July (Standing Order No. 41A).

Mr Speaker: We come now to motion 13. Not moved.

We come now to motion 14, and I must inform the House that this item was placed on today’s Order Paper by error by the Table Office. It will therefore not be moved.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker.

Mr Speaker: Ah, the day would not be complete without a point of order from the hon. Gentleman.

Stephen Doughty: On motion 14 regarding the Women MPs of the World conference, could you clarify what the process will be going forward? The matter was objected to by a single Member last night to the great dismay of many across the House who believe that the Chamber should be open for such an important occasion involving women from around the world. When will there be a vote or further debate on the matter?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order. The short answer is that the motion must be on the Order Paper and capable of being put to the House. That lies in the hands of the Government, so it is for a representative of the Executive to table that motion. I have no knowledge of when that will be. It may well be soon. What I do know is that a significant number of people on both sides of the House are keen for it to progress, but there can be opposition to it or attempted amendment of it, and that could happen. There must be every prospect of the matter coming to the House in the near future.

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Speaker. On the previous motion that was not moved, is it your understanding that we will now be sitting next Monday and next Tuesday? It would be quite convenient for Members and for the House to know whether we are going to be sitting. I presume that the only way in which we might not be sitting is if the Government were to move a similar motion tomorrow evening and there were to be no objection. However, if there were an objection, the objection would be able to be taken only on a deferred Division in September, by which time we would obviously already not have sat or sat—who knows what we might or might not have done? What is your view of these rather rum proceedings?

Mr Speaker: My strong sense is that, the motion not having been moved, the status quo applies, which is that this House will not only sit tomorrow and Thursday but it is to be expected that it will indeed sit on Monday and Tuesday of next week, as had always previously been the intention. The hon. Gentleman, with a cheeky grin, speculatively raises the issue of whether the motion might be put tomorrow instead, and I suppose all things are possible, but some people might think that once bitten, I have no indication that the matter will be put to the House tomorrow. We always expected to sit until next Tuesday, which is what our electors would have expected. The Government were perfectly within their right, although it is pretty unusual, suddenly to suggest a change, but they appear to have thought again. Churchill said you can rat but it is quite difficult to re-rat.

Chris Bryant: Well, he did.

Mr Speaker: I know, but he was exceptional.

Sir Christopher Chope (Christchurch) (Con): Further to that point of order, Mr Speaker. In our earlier exchanges I intimated that strong rumours were circulating that the Government were not going to move the motion on when the House will go into recess, as indeed they have not, and you intimated then that, as soon as the Government made a decision, it would be courteous of them to communicate it to the House at the earliest possible opportunity. I wonder, have you been able to find out the time at which the Government decided that they were not going to move the motion, and what was done between the time of that decision and 7.15 pm?
Mr Speaker: I think that is a triumph of optimism over reality. The hon. Gentleman, who is a very experienced Member of the House, is expecting me to be able to detect the contents of ministerial minds and to know when a decision was reached. Well, if I knew that, I would be a clever man. He should rest content that he appears to have secured the outcome of his choice. As to the precise point at which his ambition was satisfied, I really cannot say.

This reminds me of the conversation between Flaubert and Rothschild in which Rothschild congratulated Flaubert on his magnificent work and said, “If there is anything I can do to help you, Monsieur Flaubert, please just tell me, because it would be a great honour to be able to assist.” And Flaubert said to him, “Well, Mr Rothschild, I am rather confused about these markets. Prices seem to go up and down, and it is quite difficult to know which way they are going to go. Can you advise me on this matter?” To which Rothschild replied, “Ah, Monsieur Flaubert, if I knew the answer to that question, I would be a rich man.”

Alison Thewliss (Glasgow Central) (SNP): On a point of order, Mr Speaker. This whole shambles has been incredibly frustrating, particularly for MPs from Scotland. My children have been on holiday for three weeks, and I do not know whether I have to book childcare for Monday and Tuesday. This is absolutely ridiculous, and it is disrespectful not only to MPs from Scotland but to all parents in the House. Have you been advised of what has been taken into account in making this a family-friendly Parliament, which at the moment it is not?

Mr Speaker: I do understand that concern. Forgive me, but I do not want the hon. Lady to think that I am being frivolous. I sometimes think that a degree of lightness of touch and a bit of humour in the Chamber is not a bad thing. I have no control and no say on the matter, and I was not consulted at all, but I am sensitive to her point. It might be useful in future to think of the consideration that she has identified.

If I may say so, I also think it is perhaps a good idea to give some thought to how our decision making on matters of such importance is viewed by people outside this place. People outside this place do not normally have the capacity suddenly to bring forward their holiday by several days, which is something that bears careful reflection. I will leave it there for now.

Ian Austin (Dudley North) (Lab): On a point of order, Mr Speaker. There are people around the country whose children have got cystic fibrosis and who are watching this on TV now, and I think we should get on with the Adjournment debate instead of talking about our holiday arrangements.

Mr Speaker: We will get on to that debate. I appreciate what the hon. Gentleman has said. It is a very important debate and it will run fully, but I must take points of order if there are such.

Sir Mike Penning (Hemel Hempstead) (Con): On a point of order, Mr Speaker. I completely agree with the hon. Gentleman that we need to get on to talk about cystic fibrosis, but we will have time and we shall do that. Last week, I raised with you the fact that the underground car park fire exits were shut, but they were still shown as being for use in the event of a fire. You kindly offered to have a stroll round with me to see whether or not they were still shut. This morning, I discovered that they were open and they are safe, but it seems ridiculous that we have to raise points of order in this House to get this place safe for our staff, members of the public and, of course, our colleagues.

Mr Speaker: Conversations were had after the right hon. Gentleman’s point of order, but I accept his point that it should not be necessary for such a matter to be raised in the Chamber in order for appropriate remedial action to be taken. Nevertheless, if the resolution of the matter has brought a smile to the face of the right hon. Gentleman, that is a source of gratification to the House.

Sir Mike Penning: It is quite serious—

Mr Speaker: It is a serious matter, but it is nevertheless better if the right hon. Gentleman is smiling than if he is not.

Sir Mike Penning: I am not.

Mr Speaker: Oh, he is not. If he does not wish to smile, there is nothing I can do about that matter. We will leave that for now. If there are no further points of order, perhaps we can proceed with petitions. The House will be pleased to know that it can have a change of voice in the Chair. Ah, it is very good to see the hon. Member for Westmorland and Lonsdale (Tim Farron).

PETITIONS

Home Education: draft guidance and the consultation

7.26 pm

Tim Farron (Westmorland and Lonsdale) (LD): I rise to present a petition on behalf of 76 of my constituents on the issue of home education, draft guidance and the attendant consultation.

The petition states:

The petitioners therefore request that the House of Commons Declare that the ‘Home Education - Call for Evidence and revised DfE guidance’ has been written following significant consultation with local authorities and no consultation whatsoever with the home education community...

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

Following is the full text of the petition:

[The petition of residents of Westmorland and Lonsdale, Declare that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated; further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible...]

...
means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.]

School funding formula in Calderdale

7.28 pm

Holly Lynch (Halifax) (Lab): I rise to present a rather hefty petition organised by the campaign group Calderdale Against School Cuts. It is signed by 1,653 teachers, parents and concerned residents from right across the area who are calling on the Government to urgently fund schools in line with increasing costs and to invest in our schools and young people. The petitioners therefore request that the House of Commons urges the Government to fund all schools fully and properly as a matter of urgency and necessity; further to invest in both staff and pupils; further to commit to such investment over the life of this Parliament; and to recognise the potential negative impact of insufficient funds on children’s educational outcomes if schools are unable to maintain adequate staffing levels, safe environments and appropriate learning resources.

Following is the full text of the petition:

The petition of residents of the UK,
Declares that Calderdale schools are in urgent need of extra funding to offset the worst effects of the proposed National Funding Formula and increased costs; further which sees more than three quarters of Calderdale schools significantly disadvantaged under such funding arrangements.

The petitioners therefore request that the House of Commons urges the Government to fund all schools fully and properly as a matter of urgency and necessity; further to invest in both staff and pupils; further to commit to such investment over the life of this Parliament, and further to recognise the potential negative impact of insufficient funds on children’s educational outcomes if schools are unable to maintain adequate staffing levels, safe environments and appropriate learning resources.

And the petitioners remain, etc.]

Funding cuts to North Lincolnshire Citizens Advice Bureau

7.29 pm

Nic Dakin (Scunthorpe) (Lab): I rise to present a petition on behalf of residents of North Lincolnshire who are concerned about changes to Government funding that bring into financial peril the existence of five outstanding Salford nurseries. I praise the campaigners who worked on the petition.

The petition states:

The petition of residents of North Lincolnshire,
Declares that the decision of North Lincolnshire Council has cuts its core funding. I praise Julian Corlett and other campaigners for amassing this petition of significant size.

The petition states:

The petition of residents of North Lincolnshire,
Declares that the decision of North Lincolnshire Council to cease their core funding for North Lincolnshire Citizens Advice Bureau is putting the long-term future of the Citizens Advice Bureau at risk, and means that service provision will be adversely affected and jobs will be lost at an outstanding organisation which has served the North Lincolnshire community so well for such a long time.

The petitioners therefore request that the House of Commons urges the Government to intervene with North Lincolnshire Council to keep the funding for North Lincolnshire Citizens Advice Bureau.

And the petitioners remain, etc.]

Public sector nursery provision

7.30 pm

Barbara Keeley (Worsley and Eccles South) (Lab): I am pleased to present a petition on behalf of residents of Salford who are concerned about changes to Government funding that bring into financial peril the existence of five outstanding Salford nurseries. I praise the campaigners who worked on the petition.

The petition states:

The petition of residents of Salford,
Declares that public sector nurseries consistently provide above-average quality of provision, provide superior levels of school-ready pupils, Special Educational Need provision and services to areas of high deprivation; further that in comparison to the private sector, public sector nurseries provide more accurate tracking information to schools, more affordable services and a better standard of early education; further that new conditions imposed by the Department for Education have thrown many nurseries and Early Years services across the country into financial peril, both in the public and private sector, further that local authorities are now unable to use the vast majority of the Dedicated Schools Grant for their own Early Years provisions; and further notes that the £55 million fund set aside to support Maintained Nursery Schools is not available for Local Authority nurseries which are not headed up by a head-teacher and which lack trained teaching staff.

The petitioners therefore request that the House of Commons urges the Government to do all in its power to value and to support the continuation of public sector nursery provision, including reversing the changes to the Dedicated Schools Grant and changing the way that the £55 million supplementary funding for Maintained Nursery Schools is used to make available to all Local Authority nurseries.

And the petitioners remain, etc.]

Home Education: draft guidance and the consultation

7.31 pm

Barbara Keeley (Worsley and Eccles South) (Lab): I am pleased to present two further petitions on behalf of the constituents in Worsley and Eccles South on the issue of home education, and in similar terms to the petition presented by the hon. Member for Westmorland and Lonsdale (Tim Farron) on home education draft guidance and consultation.

The petition states:

The petition of residents of Worsley and Eccles South constituency,
Declares that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible
means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc. [P002217]

The petition of residents of Worsley and Eccles South constituency. [P002224]

**Serpentine Community Farm, Buxton**

7.32 pm

**Ruth George** (High Peak) (Lab): I rise to present a petition in support of Serpentine community farm in Buxton. A group of volunteers have spent five years transforming a derelict and polluted site into an intensive but sustainable growing area for fruit, flowers, vegetables and salads. They have involved and supported people with learning disabilities, mental health issues and loneliness.

The 1,243 signatories and I request that the House of Commons urges the Government to request High Peak Borough Council not to terminate the lease for Serpentine Community Farm in Buxton in order to sell this much valued conservation area for housing development; and further to give the farm a long lease to enable them to develop their valuable work, enriching individual and community life, on a secure footing.

Following is the full text of the petition:

[The petition of residents of Buxton and the High Peak,

Declares opposition to High Peak Borough Council ending the tenancy of Serpentine Community farm, Buxton.

The petitioners therefore request that the House of Commons urges the Government to request High Peak Borough Council not to terminate the lease for Serpentine Community Farm in Buxton in order to sell this much valued conservation area for housing development; and further to give the farm a long lease to enable them to develop their valuable work, enriching individual and community life, on a secure footing.

And the petitioners remain, etc.]

[P002219]

**Preston Park train services**

7.33 pm

**Caroline Lucas** (Brighton, Pavilion) (Green): I rise to lodge a petition on behalf of people impacted by the decimation of rail services at Preston Park station in Brighton. Some 1,098 people have signed the petition in just five days. Services at this extremely busy and vital station have been slashed by around 30% at peak times, and cancellations on top of the devastated timetable have left Preston Park almost unusable. Victoria services are rammed full on arrival, or too late to be of use for work. London Bridge and St Pancras trains have been hit by a 43% cut in the morning and 53% cut in evening peak times. This is leading to dangerous overcrowding and distress. Preston Park commuters are literally at their wits' end.

The petition states:

The petitioners therefore request that the House of Commons urges the Government to reinstate Preston Park train services to the same level as prior to the 20 May 2018 timetable changes as a minimum, include reintroduction of Gatwick Express services to Victoria with all peak northbound trains to originate from Brighton station and re-introduction of peak time southbound trains which start service from London Bridge station, gaps of no more than 15 minutes between services on Gatwick Express, Thameslink and Southern trains, 12 carriages at peak times and proper investment to the station, to ensure safe reliable train travel for the thousands of people using the station daily.

Following is the full text of the petition:

[Declares that the timetable change on 20 May 2018 has left Preston Park train services decimated with a significant reduction in the number of trains stopping at the station and large proportion of those that do now stop coming from further afield and already full to capacity when they arrive for boarding; further that people have been removed from the Gatwick Express service and from the Brighton mainline during peak hours, and the Thameslink services have been slashed, further that the timetable changes have led to long gaps between the trains and dangerous overcrowding with potential serious health and safety issues, making train travel unbearable for passengers, many of whom now have to travel into city; further that the infrequent services have caused severe stress and disruption to people’s lives and work, with many fearing for their jobs; further that Preston Park station is a vital daily commuting station for the city of Brighton and Hove; further that since many regular commuters buy their seasonal and daily tickets from Brighton station, the actual number of people using Preston Park station is likely to be much higher than the official figures indicate particularly as there are no exit barriers to record the numbers; and further that the reduced services to and from the station are having an impact not only on local residents but also on the city and its surrounding areas from an increase in car journeys as a result.

The petitioners therefore request that the House of Commons urges the Government to reinstate Preston Park train services to the same level as prior to the 20 May 2018 timetable changes as a minimum, include reintroduction of Gatwick Express services to Victoria with all peak northbound trains to originate from Brighton station and re-introduction of peak time southbound trains which start service from London Bridge station, gaps of no more than 15 minutes between services on Gatwick Express, Thameslink and Southern trains, 12 carriages at peak times and proper investment to the station, to ensure safe reliable train travel for the thousands of people using the station daily.

And the petitioners remain etc.]

[P002223]
Access to Orkambi

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

7.35 pm

Mr Ivan Lewis (Bury South) (Ind): We are living in an era when public confidence in a mainstream political class is at an all-time low. Too often the public suspect that we choose the low ground when they yearn for us to build common cause in pursuit of the high ground. Tonight we have a chance, in a small way, to prove them wrong, by using this debate to show the relevance and humanity of Parliament in the cause of human dignity and human life. I pay tribute to colleagues here, especially the hon. Members for Dudley North (Ian Austin), for South Cambridgeshire (Heidi Allen), for Erith and Thamesmead (Teresa Pearce), for Bury North (James Frith) and for York Central (Rachela Maskell), the right hon. Member for Hemel Hempstead (Sir Mike Penning) and the hon. Member for Strangford (Jim Shannon), for championing this issue so passionately and effectively over a long period of time. I also want to place on record our appreciation for the tremendous work of organisations, including the Cystic Fibrosis Trust, which ensure that the voices of people with cystic fibrosis and their families are heard and heard loudly.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for being so generous. The fact that so many Members have stay behind tonight is an indication of the importance of the issue. It was my privilege to attend an event at Belfast City Hall this month, standing side by side with CF sufferers and their families calling for Orkambi to be made available. Does the hon. Gentleman agree that medication that is proven to improve the quality of life for CF sufferers must be made available regardless of postcode? The Department must again ask the National Institute for Health and Care Excellence to enter into negotiations with a pharmaceutical company to provide this drug and allow CF children to progress and CF adults to achieve a good quality of life. Once again, I congratulate him on bringing this issue to the House. It is very important.

Mr Lewis: I agree entirely with the hon. Gentleman. It is absolutely vital that we see an engagement process that leads to action. I will develop that argument as I make my contribution here this evening.

Marion Fellows (Motherwell and Wishaw) (SNP): The hon. Gentleman mentioned many organisations. I wish to pay tribute to Scotland Parents CF Support Group, which has been very generous in helping me to understand and bring this matter to people’s notice. This is a UK-wide issue. I know that we are discussing NHS England, but this is also an issue in Scotland. Hopefully, if we can get those in England to get this drug, it will have a domino effect in Scotland, thereby saving and improving the lives of people with CF.

Mr Lewis: I think that, in this context, we can all unite behind the concept that we want a resolution that is UK-wide if at all possible. Clearly, that would require different organisations to be involved, but if we can set a precedent here, we could make rapid progress, and that can only help all parts of the United Kingdom. May I make some progress, and then I will give way to other hon. Members?

All of us who have the privilege of serving in this House are mothers or fathers, brothers or sisters, grandparents, uncles or aunts, godparents, friends or neighbours. It could very easily be one of our family members or friends who is diagnosed with cystic fibrosis at birth and who struggles with a life of perpetual illness, frequent hospitalisation and a daily multitude of drugs. Worse still, they could be living with the fear of premature death at an age when many young people are getting married, starting a family or taking their career to a new level.

I ask hon. Members to imagine that their family member or friend was denied access to a drug that could improve their quality of life and prolong their life for many years—a drug that was readily available in 12 other countries. No one in this Chamber today would accept no for an answer, or remain silent as the NHS and a major drugs company traded increasingly public blows as to who is to blame for unnecessary suffering and potential loss of life. If the situation is not good enough for our loved ones, it should not be good enough for anybody else’s.

I first became aware of Orkambi when a young constituent from Prestwich attended my constituency surgery with her mother. Many Members will have met constituents in a similar situation. Alex Darkin is 10 years old and suffers from cystic fibrosis. She is a remarkable girl, whose courage and positivity are truly inspirational. Alex started this year with 80% lung function—a number that scared her mother, Emma, because Alex’s lung function was over 100% a few months previously. These days, Emma would give anything to see the number 80 again. Alex’s lung function continues to drop and is now around the 54% to 56% mark.

Alex has physio and takes a large amount of medication just to manage her condition. She brought all that medication to my surgery and I found myself looking at a young person who has to go through the routine of taking that medication every day; that, in itself, is a massive challenge. Alex has intravenous antibiotics every three months, and her daily life is inevitably dominated by her drug and physiotherapy regime. Very sadly, she now has irreparable lung damage. A consultant recently advised that doctors are running out of options with regard to medication, and explained that if Alex were a year older her parents would be able to apply for Orkambi on compassionate grounds, as her lung function had deteriorated more than 25% in less than three months. Emma and Alex contacted me because they could not afford to wait another year to get this drug on the NHS.

Sir Mike Penning (Hemel Hempstead) (Con): I congratulate the hon. Gentleman on securing this debate. I think that we all tried to get this debate, which is why we are all here. One of the reasons I said to Mr Speaker earlier that I was not happy was that I wanted us to get on to this debate. We have all heard stories in our constituencies, as I am sure you have, Madam Deputy Speaker. As a country of this wealth, we should be ashamed. People in countries with nowhere near the

Speaker . As a country of this wealth, we should be ashamed.
wealth of this country have been given these drugs to improve their quality of life. We are here to right that

**Mr Lewis:** The right hon. Gentleman speaks for everybody present this evening and probably many who are not.

There is inevitably sadness, but there should be real anger because this situation is causing human misery to many people who have enough challenges in their lives without not being able to resolve this situation. It would not be right for any of us to pretend that these decisions are easy. NICE does a good job in very challenging circumstances, on the whole. In no way should we or do we seek to undermine its work.

**Anne Marie Morris** (Newton Abbot) (Con): The hon. Gentleman is being very generous in giving way. As he is reflecting on NICE and its process, does he agree that there should be a change in the way it measures or calculates quality of life when it comes to rare rather than ultra-rare diseases? If the condition was classed as ultra-rare, we may well have got the go-ahead.

**Mr Lewis:** I think that most people would accept that now is the time for a review of the criteria that are applied and the processes that are undertaken. Any organisation needs to be continually improving. We do not condemn NICE. In fact, we acknowledge that it has got many difficult decisions right, but it has also got some wrong. Time and again, the reason that it has got those decisions wrong—arguably—is that the criteria it is applying and the criteria it has been given by the Department of Health are out of date and flawed. I think we would all want to see a review of NICE’s remit and the way in which it carries out its work over a reasonable period of time. It would be helpful if the Minister would respond to that point when he concludes the debate.

**Rachael Maskell** (York Central) (Lab/Co-op): My hon. Friend is making a very important speech. As he is reflecting on NICE and its process, does he agree that there should be a change in the way it measures or calculates quality of life when it comes to rare rather than ultra-rare diseases? If the condition was classed as ultra-rare, we may well have got the go-ahead.

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**Heidi Allen** (South Cambridgeshire) (Con): Now is an opportunity because we have a new Secretary of State. I have already contacted him about this issue. The way that NICE is making its decisions is affecting not only drugs like Orkambi but an awful lot of drugs that people in our constituencies desperately need. Does the hon. Gentleman agree that now is absolutely the right time to grasp this situation on Orkambi and challenge NICE about its decision-making criteria? Let us change the way it is looking at the value of quality of life and do that urgently, using Orkambi as a starting point.

**Mr Lewis:** I entirely agree. It is always very important, when a new Minister begins a role, that they have a very clear sense of a positive agenda on which they want to achieve change. This will be a very appropriate issue for the new Secretary of State to adopt and to drive forward.

**Bambos Charalambous** (Enfield, Southgate) (Lab): Orkambi would not be suitable for my constituent Holly, who is eight years old, but other drugs that have been manufactured would be more suitable for her. Does my hon. Friend agree that if NICE had more flexibility in looking at pipeline deals, that would help many more people such as my constituent Holly?

**Mr Lewis:** Of course I agree entirely. It must be very frustrating for Holly and her family to find themselves in this situation. There really is no excuse for delaying the beginning of a review. Members know full well how long these reviews can take, so let us get on with it. I think we are united in a belief that this is absolutely essential as part of the lessons that we need to learn from this situation.

**Paul Girvan** (South Antrim) (DUP): The hon. Gentleman alluded to having spoken to families of people who were on a large cocktail of drugs and the costs associated with that. Let us not say that it is just down to costs; I appreciate that NICE might well be using the wrong process. This cocktail of drugs adds up to a significant cost, and there can be a dramatic saving if they can come off some of those drugs, as well as losing the side-effects that come with them.

**Mr Lewis:** I agree entirely. We sometimes spend vast amounts of public money reacting to a problem, and the rhetoric is all about prevention and early intervention, but we end up doing the opposite. This is a very good example of that.

**James Frith** (Bury North) (Lab) rose—

**Mr Lewis:** I will give way to my hon. Friend and then I have to make progress.

**James Frith** congratulated my hon. Friend on securing this debate. Does he agree that there is a human cost to this gridlock for cystic fibrosis sufferers, who are victims of this disease and this disagreement? Frankly, NHS England should get in a room with Vertex and they should stay in there until they come out with an agreement to end this gridlock, so that cystic fibrosis sufferers do not see this debate just as yet another conversation but as delivering change and transformation of their lives.

**Mr Lewis:** My hon. Friend clearly wants to finish my speech off for me. Of course, he is absolutely right to make that point. The most important thing to see from this debate is action, not words. I will go on to talk about what those actions should be.
Lady Hermon (North Down) (Ind): Will the hon. Gentleman give way?

Mr Lewis: I am going to make progress, if I may, but I will perhaps give way once more later on.

Ian Austin (Dudley North) (Lab): Will my hon. Friend give way now, before he continues?

Mr Lewis: I will—my hon. Friend certainly deserves it.

Ian Austin: I am very grateful. This is a really frustrating process, and the Government have to find a way of bringing it to a conclusion. I agree that NHS England and Vertex have to get back into negotiations, which should not stop until this is resolved. Does my hon. Friend agree that it might be an idea for the Secretary of State to get Sir Simon Stevens and Jeff Leiden, the chief executive of Vertex, in a room—

Sir Mike Penning: And lock the door.

Ian Austin: The right hon. Gentleman could lock the door, but first he has to get them in there so that negotiations resume and are not concluded until they resolve this issue, because it really does have to be sorted out.

On that point, does my hon. Friend agree that it was worrying to read the word “final” in NHS England’s response to Vertex yesterday? It cannot be final. I really hope the Minister is listening to this. [Interruption.] The word “final” was in there. [Interruption.] Well, he is the Minister. The word “final” cannot be used until it is finally resolved. That is when it will be final.

Mr Lewis: I agree entirely with my hon. Friend, and I will develop his argument as I continue my speech.

A quote from Emma, Alex’s mum, sums up many of the frustrations of the constituents represented here today. She says, very movingly:

“Alex has a real love for life and all she wants to do is live a long and happy life without having to fight to breathe.”

That powerful statement says it all.

Since March, when we last debated this issue, NHS England and Vertex have met on four occasions. I welcome the fact that, during those negotiations, NHS England accepted the principle of a funding agreement that supports a portfolio approach to current and future drugs. That is undoubtedly a step forward and a positive response to the contributions parliamentarians made in the initial debate, but it is clear that these negotiations have not produced an agreement that is acceptable to both parties. Indeed, the public recrimination suggests that the negotiations had all but broken down. It remains to be seen whether NHS England’s written offer, made on the eve of this debate, is a basis for progress, but the early indications are not encouraging.

It would be inappropriate for anyone to make judgments about the validity of either party’s case without having full access to the information, which remains confidential for reasons of commercial sensitivity. I know I speak for all parliamentarians when I express concern about the fact that, as my hon. Friend the Member for Dudley North said, NHS England described its offer as “final”. It could lead to a stalemate that once again lets down patients and their families. To be clear, I respect the need for an objective process that delivers appropriate medication and value for money for the taxpayer. If NICE did not exist, it would have to be invented, but—this point has been made time and again tonight—the shortcomings of the current assessment processes are well documented. That is why NHS England’s involvement in this instance is to be welcomed.

Equally, Vertex has the right to seek financial remuneration at a level that maintains its viability and supports the development of the company. Sadly, I am unconvinced that more of the same will lead to an agreement that will enable Orkambi and successor drugs to be made available to people with cystic fibrosis. Consequently—my hon. Friend the Member for Bury North suggested this—I urge the Secretary of State for Health and Social Care to facilitate an urgent meeting with the chief executive officers of NHS England and Vertex. In that meeting, they should seek to resolve any outstanding differences, and agree a rapid timescale for the roll-out of Orkambi across the country and an approach for other relevant drugs. People with cystic fibrosis have been waiting far too long.

Lady Hermon: The hon. Gentleman is well aware that health is a devolved matter in Northern Ireland, but we do not have a Health Minister because we have not had a functioning Assembly for 18 months. Will he join me in urging the Minister to liaise with the permanent secretary in the Department of Health in Northern Ireland to reassure the many cystic fibrosis sufferers and their families, who are desperately anxious, that we have a drug available? The health service must enter into final discussions to reach the outcome we all want.

Mr Lewis: I agree entirely. The absence of a functioning Executive is a source of continued regret to those of us how care passionately about Northern Ireland. Progress has been made, but there is now a stalemate. It is incredibly important that, in the absence of an Executive, Ministers ensure that any solution that is reached also benefits people with cystic fibrosis in Northern Ireland.

The UK Government need to commit to a proactive role to help secure a deal as soon as possible that will ensure access to these new treatments. They must fulfil their own stated ambition for NHS patients to be “among the first in the world to get life-changing treatments.”

Vertex, the pharmaceutical company, must be fair and responsible with pricing to ensure that a deal on access to new treatments can be agreed—and agreed rapidly. The Government must consider looking towards the future pipeline of treatments for cystic fibrosis to ensure that a robust and fair system is in place for appraising high-cost new medicines to avoid similar issues about access to medicines with other companies and drugs in the future. The time for words is over; on behalf of our constituents, tonight we demand action.

7.55 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I say from the outset that there are 22 people in the Chamber for this Adjournment debate. Normally, it is me, the proposer of the debate and the hon. Member for Bury South (Mr Lewis) that it is nice for other people to be here with us. I will say at the start that I will not take any interventions. A lot of Members have come to listen to this debate, and they
want to hear the Minister. There are things that I as the Minister need to put on the record, and I am going to put them on the record before we finish at 8.5 pm.

I thank the hon. Gentleman for securing this debate and for giving me the opportunity to speak once more on an important issue that matters to me and my constituents as much as it does to his. May I again place on the record the sterling work undertaken by the Cystic Fibrosis Trust? Its support for cutting-edge research, campaigns to drive up standards of care and support for the CF community is fabulous. We are lucky to have it.

Once more, we have heard hon. Members make compassionate—that is a very good word—pleas urging an immediate resolution in the ongoing discussions between NHS England and Vertex to make Orkambi available on the NHS in England. To the hon. Member for North Down (Lady Hermon), who raised this in an intervention, I say that, absolutely, I will make sure my officials are talking to the permanent secretary—the very hard-working and probably overworked permanent secretary—at Stormont, because we need to make sure we have a joined-up approach. I wholeheartedly agree with everyone’s calls for exactly that: every effort must be made to ensure that precision medicines are made widely available to cystic fibrosis patients.

Many people have raised concerns this evening and in many other places about NICE’s process for the assessment of drugs for rarer diseases. I said this in the last debate in Westminster Hall and I will say it again: it is a key commitment of this Government to ensure that people with comparatively rarer conditions, such as CF, get the same quality, safety and efficacy in medicines as those who have more common conditions. I assure the House that where a company is willing to set a fair price for a drug, NICE’s technology appraisal process has been proven to be suitable for the assessment of drugs for rare diseases.

James Frith: Will the Minister give way?

Steve Brine: I said I would not give way, and I will not do so.

I thought the hon. Member for Bury South made a good point when he said if NICE did not exist, we would have to invent it. I agree. Indeed, NICE has been able to recommend a number of drugs for patients with rare diseases through its technology appraisal process, including pifithrin for pulmonary fibrosis and mifamurtide—why they cannot produce easier names, I will never know—for a rare form of bone cancer, to name but two.

I know that it is distressing, to put it mildly, for patients and their families, as well as campaigners, when NICE is not able to recommend a treatment. Unfortunately, there will continue to be occasions when NICE is not able to recommend one for routine use on the NHS. As we know, NICE has not so far been able to recommend the use of Orkambi for treating CF, because the benefits were not sufficient to justify its considerable cost. At list price, the cost per quality-adjusted life year of Orkambi is many times higher than the upper end of the threshold used by NICE in deciding whether to recommend a treatment. NICE does not stick rigidly to a cost per QALY threshold, and it applies plenty of flexibility in deciding whether to recommend treatments where the decision is a borderline one. However, it must be stressed that the cost per QALY is not an arbitrary measure, but a tool to assess what the impact would be on other NHS patients if the NHS were to spend money on a particular treatment.

I want to talk about the discussions with Vertex. As Members know, NHS England has been in intensive discussions with Vertex to encourage it to lower the cost of Orkambi to a level that would allow NHS England to fund its use without adversely impacting other patients. I and the Under-Secretary of State Health, Lord O’Shaughnessy, who sits in the other place—he leads on this area for us—have been keeping an extremely close eye on these discussions, as I promised the House in the Westminster Hall debate I would do. As Members will remember, we wrote to Vertex in April, urging it to commit to pricing that is responsible and proportionate. I have the personal assurance from NHS England that it is committed to seeking a way forward in these negotiations, and I think it has shown flexibility.

Sadly—I am not ratcheting up the rhetoric or name-calling, as this is just fact—Vertex has been unwilling to price responsibly thus far, which has, as we have heard today, meant that patients have missed out on two years of treatment. Vertex claims that it has made the NHS “the best offer in the world”—but it has yet to substantiate that claim. I would challenge Vertex to waive confidentiality—which it can do: I cannot—so that we can all see, in the interests of transparency, the kind of prices it is trying to charge the NHS and, as a result, our constituents.

As mentioned this evening by the hon. Member for Bury South, NHS England wrote to Vertex yesterday to set out a proposed five-year deal with an option to extend, which provides the potential for Vertex to secure revenues from the NHS in the region of £500 million over the next five years. NHS England has made the content of this proposal public, to give patients and taxpayers the opportunity to make a judgment about the fairness of this offer. The proposed deal, if accepted, would guarantee immediate and expanded access, as clinically appropriate, to the two licensed medicines, Orkambi and Kalydeco—as was said earlier, Orkambi is not the only show in town. It would also provide immediate access for Symdeco from the date it is licensed for use in the UK, which is expected in coming weeks.

If Vertex is not willing to accept the deal, it must return to discussions with NICE and go through that process. Let me be clear that I truly hope it does not come to that, but until Vertex adjusts its prices, NICE will not be able to recommend the drug’s use. I repeat that we have put a figure on the table. The ball is in Vertex’s court. It has made a preliminary response today, saying that it is good to see that NHS England is negotiating. NHS England has been negotiating throughout. It is not Ministers who are negotiating on this.

Mr Ivan Lewis rose—

Steve Brine: I will break my rule and give way to the hon. Gentleman who secured the debate.

Mr Lewis: That is kind of the Minister and I thank him for his serious response to the debate.

We said the last time we met that we did not want Ministers to keep an eye on the issue: we wanted Ministers to be actively engaged in it. The Minister gave us an
assurance that his colleague would be actively engaged, not keeping an eye on it. Today, we repeat that we do not want NHS England and the drug company left in a room alone to work this out, otherwise we will be back here in six months’ time. We expect the Secretary of State to be in the room with the chief executive of NHS England and the drug company to bang heads together and come up with a satisfactory conclusion. Will the Minister respond directly to that point and give us an assurance that there will be political involvement and engagement in the negotiations, because we have waited for too long?

Steve Brine: When I say “keeping an eye”, I do not mean it like keeping an eye on the football scores on a Saturday afternoon. It is just my turn of phrase. Ministers are keeping very close tabs on this and making sure that NHS England is in no doubt that we want it to come to a conclusion with Vertex. But it takes two to tango, as we are seeing in another negotiation right now. We need Vertex to tango. The ball is in its court, and it is time to return it.

I stand by what I said at the last debate: it is vital that we go through the right process here. There is a process. I do not think for one minute that the Opposition are suggesting that if they were in government, Ministers would be making these decisions like Roman emperors, as that would be totally wrong. It is an important principle that the NHS must ensure that healthcare services get the best value for patients, and that is the approach NHS England is rightly taking.

NHS England has proven that it can strike innovative deals, working with the life sciences sector to make treatments available for patients, while securing fair value for taxpayers—our constituents. That includes hundreds of patients with multiple sclerosis who now benefit from a treatment called cladribine and the use of pertuzumab for breast cancer. It is important for me to be clear with hon. Members that Ministers should not make a decision on behalf of NHS England, which has the clinical expertise and the powers to purchase medicines.

I put it on record again that I urge Vertex to accept the proposal presented by NHS England, or it will only make those living with cystic fibrosis suffer. Yes, of course there are discussions among the new ministerial team. I spoke to the new Secretary of State just this evening in the Lobby. He is taking an incredibly close interest in this issue, less than a week into the job, and I pay tribute to him for that. I ask Vertex to recognise NHS England’s flexible approach. It would represent the largest ever financial commitment of its type in the 70-year history of the NHS. I certainly hope that they can reach a deal. Many, including in my own Winchester constituency, are counting on them.

Question put and agreed to.

8.5 pm

House adjourned.
Alun Cairns: The Government have committed to consult later this year on the UK shared prosperity fund, which will be a Brexit dividend. We are already seeing a Brexit dividend with the £20 billion increase in health spending, which will have considerable consequences for Scotland and, rightly, for Wales. As their budgets are protected, Wales, Scotland and Northern Ireland will benefit significantly from that.

Stephen Gethins: The Secretary of State’s answer directly contradicts the UK Government’s own analysis, which shows that Wales and every other part of the United Kingdom will be badly hit by their plans for Brexit. If the Government do have a plan for Brexit, we would love to hear it—and is there any economic analysis for it?

Alun Cairns: The hon. Gentleman ignores the hard data, which shows record numbers of people in employment and sharp falls in unemployment. I have met a whole host of international investors from the US, Qatar, Japan and elsewhere, and we are seeing significant foreign direct investment projects coming to the UK. That shows the great opportunities there are as we leave the European Union.

Luke Graham (Ochil and South Perthshire) (Con): Does my right hon. Friend rise—

Charlie Elphicke (Dover) (Ind): Does the Secretary of State agree that the most important market to the Welsh economy is the internal market of the United Kingdom? That is also true for Scotland, which is why it makes no sense that the Scottish National Party wants to peel Scotland away from the United Kingdom and the success of this nation?

Alun Cairns: The hon. Gentleman makes an extremely important point. He is right to say that the UK market is more important to the Welsh and Scottish economies than any international market. It has already been demonstrated that Scotland sells four times more to the rest of the UK than to any international market. That dependence on the UK economy is greater for the Welsh economy.

Stephen Kerr (Stirling) (Con): Does my right hon. Friend agree that the economic benefit of the city deals that have been agreed in Wales and Scotland is evidence of what is possible when the UK Government and the devolved Administrations pull together in the same direction?

Alun Cairns: May I pay tribute to my hon. Friend, who has worked so hard on the Stirling city growth deal? That exciting prospect, will offer real opportunities for long-term economic regeneration. I take the opportunity to highlight the fact that Wales will be the only part of the UK that is entirely covered by city deals and growth deals. That meets the UK Government’s ambitions to close the wealth gap between the most prosperous and most deprived areas of the UK by raising the economic prospects of some of the poorest parts of the UK.

Alun Cairns: The Secretary of State has made no recent assessment of the Welsh economy of the UK leaving the EU.

7. Gavin Newlands (Paisley and Renfrewshire North) (SNP): What recent assessment has he made of the effect on the Welsh economy of the UK leaving the EU.

9. Stephen Gethins (North East Fife) (SNP): What recent assessment he has made of the effect on the Welsh economy of the UK leaving the EU.

The Secretary of State for Wales (Alun Cairns): Wales approaches Brexit from a position of strength with a growing economy and falling unemployment, and our plan for Brexit will allow us to shape our own ambitious trade and investment opportunities, putting Wales and the wider UK at the forefront of global trade.

John McNally: The Welsh Affairs Committee has now joined in the calls for the retention of membership of the single market and customs union to protect the agricultural sector, in which 80% of Welsh exports go to the EU. Will the Secretary of State confirm what representations he made to the Prime Minister ahead of the Chequers agreement for continued membership for the agricultural sector?

Alun Cairns: As the House would expect, I looked closely at that report, but of course the outcome that the hon. Gentleman suggests would mean that we could not honour the expectations of the British people following the referendum decision to leave the European Union; it would mean retaining free movement of people. The Chequers agreement protects the agricultural sector so that it has the opportunity to trade frictionlessly with the European Union.

Gavin Newlands: By 2020, the Welsh economy will have been supported by almost £150 billion of investment through EU structural funds. The Government committed to replacing that funding, along with support for farming and the English NHS, with money from the mythical Brexit dividend. Now that it is clear that the UK will not receive a single penny back from Brexit, will the Secretary of State confirm that there will still be money for Wales?
Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Given the impact of Brexit uncertainty on the Welsh rural economy, the Minister will surely agree that technology and science opportunities must be seized. What is he doing to ensure that Snowdonia Aerospace at Llanbedr becomes the UK's first horizontal-launch spaceport?

Alun Cairns: The hon. Lady is absolutely right. Llanbedr offers great opportunities. The Secretary of State for Business, Energy and Industrial Strategy and I have spoken on a number of occasions about this, and I hope that the hon. Lady will welcome the statement that was made last week and the additional money that is being made available to exploit the opportunities in Llanbedr. I am excited by this prospect, and we will put the hon. Lady's constituency at the forefront of space technology.

Mr Speaker: Let us hear more about the horizontal port situation.

Liz Saville Roberts: I will say more about the situation of the rural economy, given that the former Wales Office Minister, the hon. Member for Aberconwy (Guto Bebb), stood down this week to oppose the Brexiteers' wrecking amendments. At next week's Royal Welsh show, will the Secretary of State announce his resignation in protest at the Government's policy of wrecking Welsh livestock farming?

Alun Cairns: First, I pay tribute to my hon. Friend the Member for Aberconwy (Guto Bebb) for his excellent work at the Ministry of Defence in supporting the defence services across the whole UK, as well as his role in looking after agriculture as a Wales Office Minister. The hon. Lady will be well aware that the Chequers agreement provides a frictionless trading opportunity for Welsh farmers that will allow them to continue to sell Welsh beef and lamb, and other Welsh produce, to the European Union as they do at the moment.

Mr Speaker: In calling the hon. Member for Vale of Clwyd (Chris Ruane), I congratulate him on what I understand is, unbelievably, his 60th birthday!

Chris Ruane (Vale of Clwyd) (Lab): It’s a hard life!

The shadow Wales team recently met Farmers Union of Wales representatives, who are desperately worried about the future funding of Welsh agriculture post Brexit. If future farm funding is allocated using the Barnett formula, Welsh farmers will lose £133 million a year, taking £1 billion out of the Welsh economy. That would decimate rural communities and thousands of family-run farms. What steps is the Minister taking to guarantee Welsh agriculture the same level of funding post Brexit?

Alun Cairns: I, too, congratulate the hon. Gentleman on his significant birthday. The Under-Secretary of State for Wales, my hon. Friend the Member for Pudsey (Stuart Andrew), and I meet Welsh farming unions regularly, and we also meet them jointly with the Welsh Government’s Agriculture Minister. That demonstrates the collaborative approach that we are taking. If I have said once, I have said 100 times that we will not be using the Barnett formula to distribute agricultural spend. Clearly, the current level of spend is the starting point, and we will be consulting in due course. The financial protection that the UK Government have given to Wales, whereby Wales now receives £120 for every £100 spent in England, demonstrates the priority that we put on protecting Wales's interests.

International Trading Opportunities: Promotion

2. Mr Ranil Jayawardena (North East Hampshire) (Con): What recent steps he has taken to promote Wales’s international trading opportunities. [906436]

The Secretary of State for Wales (Alun Cairns): My Department continues to work closely with the Department for International Trade on promoting Wales’s trading opportunities. During my recent trips to Qatar, Kuwait, Hong Kong and the US I saw at first hand the enthusiasm for Welsh exports as well as the potential for foreign direct investment projects to come to Wales.

Mr Jayawardena: Given Wales’s connectivity on the M4 corridor, does my right hon. Friend agree that we can truly capitalise on trading opportunities internationally for Wales and, indeed, the Thames valley by improving the Reading to Gatwick road corridor?

Alun Cairns: My hon. Friend will be aware that I have been a strong supporter of the third runway at Heathrow because it is important to the Welsh economy, and connectivity to airports is vital to deliver its prospects and objectives. He is right about the M4 corridor. With the abolition of the Severn tolls, it creates an opportunity for a natural economy to develop between Bath, Bristol, Newport and the south Wales economy in general, to create further economic growth.

Owen Smith (Pontypridd) (Lab): The Secretary of State knows that Airbus is one of Wales’s most important trading entities and companies, so does he think it is a good or bad sign that the chief executive of Airbus is so worried about the Government screwing up Brexit that he is now stockpiling goods that he feels he will not be able to get into to make his finished products?

Alun Cairns: I think the hon. Gentleman is out of date. The latest statements from Airbus have welcomed the Chequers agreement, because it will allow the company to protect its supply chain. That demonstrates the positive relationship that we have with large international companies, in seeking to protect their interests but taking the opportunities of leaving the European Union and looking to new markets elsewhere.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Is it not the case that following the passing of the Trade Bill yesterday, Wallonia, a region of Belgium, will have more influence over EU trade policy than Wales will have over post-Brexit UK trade policy?

Alun Cairns: My right hon. Friend the Secretary of State for International Trade announced that we will have the widest, most extensive consultation in relation to future trading arrangements. We will not only talk to the devolved Administrations regularly, as I always do, but talk to key stakeholders in Wales to ensure that we respond to their priorities. We are determined to have the widest consultation to ensure that people have the facts at hand rather than sometimes inaccurate reports.
Chris Evans (Islwyn) (Lab/Co-op): The expanding digital economy will bring further opportunities for Welsh businesses, yet they tell me all the time that broadband speeds are still too slow to trade. What are the Government doing about this?

Alun Cairns: On average, the superfast broadband threshold in Wales is higher than it is across the rest of the UK, but the hon. Gentleman is absolutely right that more work needs to be done. Significant sums have been available, with £69 million going to the Welsh Government from the Department for Digital, Culture, Media and Sport, in addition to the £56 million of gainshare that has come from that. Of course, the priority for how the Welsh Government spend that has largely been driven and directed by them. I am keen to work closely with Welsh businesses, yet they tell me all the time that broadband speeds are still too slow to trade. What are the Government doing about this?

Cross-border Rail Services

4. Justin Madders (Ellesmere Port and Neston) (Lab): What discussions has he had with the Secretary of State for Transport on improving cross-border rail services to and from Wales; and if he will make a statement.

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): The Government recognise that cross-border connectivity is critically important. That is why my right hon. Friend the Secretary of State and I have regular meetings with my right hon. Friend the Secretary of State for Transport to look at what improvements can be made to support better journeys for Welsh and English passengers.

Justin Madders: People in Neston are concerned that the rail timetable to be introduced by the new operator on the Wrexham to Bidston line may lead to an inferior service on the English side of the border. When I asked the rail Minister about that recently, he told me that it was the Welsh Assembly's responsibility, not his; but my constituents have no representation there. Who is accountable for services on the English side of the border within this Parliament?

Stuart Andrew: The hon. Gentleman will know that the Wales & Borders franchise is part of the Government's commitment to devolving powers, so there is a joint responsibility between the two Governments. If he wants me to make representations on his behalf to the Welsh Government, I would be more than happy to do so.

Stephen Crabb (Preseli Pembrokeshire) (Con): Has my hon. Friend had the chance to speak to the management of Great Western Railway about the total shambles that was its rail service last Sunday afternoon, when thousands of passengers faced cancelled or disrupted trains due to staffing problems arising from the World cup final? England did not qualify for the final and Wales was not even at the tournament, so it should not have led to meltdown on the rail network last Sunday.

Stuart Andrew: My right hon. Friend raises a very important point. When these services do not run effectively, that has a massive impact on his constituents and all commuters. I would be happy to meet him to discuss this further, so that we can take it up with the people responsible.

Jo Stevens (Cardiff Central) (Lab): My constituents were promised electric trains running into Cardiff Central by last year. This week, we found out that they will not even be coming into Cardiff Central by the end of next year. When will the Minister sort out the shambles that is the Great Western Railway line from London to Cardiff?

Stuart Andrew: It is important to recognise that we are investing a massive amount of money to ensure that the electrification brings about improved journey times. The Welsh Government have come up with some suggestions about how we might resolve these issues, and we will work with them collaboratively on that. Let us not forget, though, that this Government are making a massive investment in the railway system.

Mr David Jones (Clwyd West) (Con): How is work progressing to develop the business case for the north-east Wales metro?

Stuart Andrew: My right hon. Friend will know that we are looking at a host of different projects that will improve journey times for passengers in north Wales, such as the Wrexham to Bidston line. On the specific issue that he raises, we are looking at that across the board, including through the growth deal that we are developing at the moment.

Mr Speaker: Order. In generously but appropriately congratulating the Minister not on his birthday but on the magnificence of his tie, may I urge him to face the Chamber so that we enjoy the benefit of his mellifluous tones?

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): It is not just the cancellations and the delays to services on the Great Western line; and it is the shambles on the franchise. Is the Secretary of State for Transport in the Chamber so that we can take it up with the people responsible?

Stuart Andrew: I am glad that you like my tie, Mr Speaker. First, I point out that the Government are investing more in our railways than any Government since Victorian times. I accept that there may be some issues with the service, and I will happily arrange to meet GWR to raise the points that the hon. Gentleman made.

Leaving the EU: White Paper

5. Tommy Sheppard (Edinburgh East) (SNP): What discussions he has had with the Welsh Government on the UK Government's White Paper on leaving the EU.

6. Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What discussions he has had with the Welsh Government on the UK Government's White Paper on leaving the EU.
The Secretary of State for Wales (Alun Cairns): In line with commitments made by my right hon. Friend the Prime Minister, the Government shared the White Paper on our future relationship with the European Union with the Welsh Government in advance of its publication. This followed a regular dialogue with Welsh Ministers as the paper was being drafted.

Tommy Sheppard: The Government have proposed 26 policy areas where joint arrangements will be necessary with the Welsh Government after Brexit. Given the proposal in the Chequers agreement and the White Paper for a common rulebook with the EU, in how many of those areas will such arrangements no longer be necessary?

Alun Cairns: The hon. Gentleman refers to an ongoing relationship and dialogue with the Welsh Government. He will be aware that the Welsh Government were happy to give a legislative consent motion to the European Union (Withdrawal) Bill as it passed through the Palace of Westminster, which demonstrates the mutual respect and ongoing productive relationship that we have. I only wish that the Scottish Government would work in the same constructive, positive way.

Stuart C. McDonald: The White Paper’s mobility proposals for business visitors and intra-company transfers might be all right for large multinational companies in London, but they offer nothing to small businesses in Wales and important public services. What is the Secretary of State doing to ensure that they can still recruit the EU workers they need, if Brexit happens?

Alun Cairns: I have referred on several occasions to the expert panel I formed, which is being extended, and to joint meetings I have held with Welsh Government Ministers. We are keen to engage with businesses of all sizes. Large companies such as Airbus often receive much attention, but it is only right that small businesses, which often depend on their supply chains, receive a similar amount of attention.

Peter Grant: I do not think even the UK Government still believe that the Joint Ministerial Committee on Europe is fit for purpose. Does the Secretary of State agree that it is time for it to be replaced by a statutory committee that will allow Wales to benefit from access to the single market and new trade deals across the world. Is it not about time that Members of Parliament on both sides of the House got behind the Prime Minister and the Secretary of State for Wales as they lead Wales to a better future outside the European Union?

Alun Cairns: My hon. Friend is right, and I pay tribute to him for his work as Chair of the Welsh Affairs Committee. Not only does the UK remain the No. 1 destination for foreign direct investment, but Wales has seen a 20% increase in the employment created out of that investment. Our exports are growing to record levels and, interestingly, those to areas outside the European Union are growing at a faster rate than those to the European Union.

James Duddridge (Rochford and Southend East) (Con): The White Paper is a little light on the benefits of World Trade Organisation rules. Will the Secretary of State discuss the benefits of those rules with the Welsh Government alongside the White Paper?

Alun Cairns: I will naturally continue an ongoing dialogue with the Welsh Government about a whole host of issues. My right hon. Friend the Secretary of State for International Trade yesterday agreed to and committed to consult widely, including with the devolved Administrations. My hon. Friend is absolutely right that there are great opportunities as we leave the European Union to look at new markets, but nor should we undermine the existing complex supply chains that have built up over 40 years. The Chequers White Paper, I believe, allows us to do both.

Bob Blackman (Harrow East) (Con): Will my right hon. Friend reach out beyond the Welsh Government to businesses in Wales to exemplify the opportunities that will be created as we leave the European Union?

Alun Cairns: My hon. Friend is absolutely right. We often, rightly, give a lot of attention to the devolved Administrations because they are elected bodies in the nations themselves, but businesses in Wales depend on the UK market and their view is also important as we develop and evolve our policy towards the negotiations to leave the European Union.

Christina Rees (Neath) (Lab/Co-op): I join in the birthday wishes to my youthful shadow Minister, my hon. Friend the Member for Vale of Clwyd (Chris Ruane).

It has been two years since the Prime Minister met the First Minister of Wales in Cardiff Bay and stood on the steps of the Senedd, telling politicians and journalists how important the Union is and that she wanted the Welsh Government to be involved in Brexit discussions, so why was the White Paper not shared with the Welsh Government until barely 12 hours before its publication?

Alun Cairns: The hon. Lady is right that the document was shared with the Welsh Government before it was published. I can also say that many extracts—[Interruption.]
Mr Speaker: Order. I apologise to the right hon. Gentleman. The microphone is not functioning as well as it should be, and I therefore suggest that a modest bellowing by the right hon. Gentleman will suffice.

Alun Cairns: Thank you, Mr Speaker. I can point out to the hon. Lady that not only was the document itself shared with the Welsh Government before publication, but—I would say, probably more importantly—as the document was being drafted, various extracts were shared with the Welsh Government and their input during the drafting stages contributed to the document in its totality.

Christina Rees: It is not good enough. The Secretary of State knows the terms of the JMC, which state that the UK Government will work with the devolved Administrations “to agree a UK approach to...Article 50 negotiations”. After two years of broken promises on Brexit talks, who should the people of Wales blame for the contempt shown to them—the Prime Minister, the Secretary of State for Wales or both?

Alun Cairns: The hon. Lady is ignoring that we shared the drafting of the document with the Welsh Government before we had concluded the document itself. They had an integral part in contributing and sharing their views. I would also say that it was considered at length at the JMC that my right hon. Friend the Chancellor of the Duchy of Lancaster chaired days before the document was shared.

Welsh Guards: Afghanistan

8. Kwasi Kwarteng (Spelthorne) (Con): What recent discussions he has had with the Secretary of State for Defence on the Welsh Guards’ tour of Afghanistan.

The Secretary of State for Wales (Alun Cairns): I have regular discussions with the Secretary of State for Defence about the armed forces in Wales, including about my recent visit to Kabul to meet the Welsh Guards. During the visit, I saw at first hand the important role that our servicemen and women play in the UK’s operations, and I pay tribute to them.

Kwasi Kwarteng: Does my right hon. Friend welcome the Prime Minister’s announcement of an added commitment from the Welsh Guards to secure and to help NATO’s capacity-building mission in Afghanistan?

Alun Cairns: Having seen the Welsh Guards in action in Afghanistan, I have nothing but admiration and respect for the work that they do. The additional support to help them embed and the important steps they are taking to support the ongoing work of the Afghan Government will be extremely important, and I pay tribute to them for the work that they do.

Universal Credit

11. Hywel Williams (Arfon) (PC): What recent discussions he has had with the Secretary of State for Work and Pensions 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 24 jobcentres across Wales, with a further two scheduled to roll out this month. The number of people receiving universal credit in Wales is over 44,000, and 36% of these are in employment. Wales jobcentres are in the latter part of the roll-out schedule, with full roll-out to be completed by the end of this year.

Hywel Williams: I thank the Minister for that answer. Early indications show that there are huge problems in implementing universal credit, with the Flintshire citizens advice bureau, for example, receiving 340 new cases—serious cases. What is he doing to make sure that our hard-pressed citizens advice bureaux are not overwhelmed when universal credit is fully implemented?

Stuart Andrew: It is important to recognise that universal credit is a transformational benefits system that is working to get people back into work. The recent employment figures, showing that employment in Wales is up by 5,000, are a significant step, but the issues that the hon. Gentleman raises are exactly why we have been careful. We have made significant changes as we have carefully rolled out the project.

Transport Infrastructure: North Wales

13. Christian Matheson (City of Chester) (Lab): What discussions he has had with Cabinet colleagues on upgrades to transport infrastructure in north Wales.

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): The Secretary of State and I hold regular discussions with Cabinet colleagues and the Welsh Government on Wales and road infrastructure, and we recognise the benefit to communities on both sides of the border.

Christian Matheson: The M56 is the main arterial route not just through Cheshire but into north Wales. What discussions has the Minister had about upgrading the M56 as part of the next road investment strategy for Highways England?

Stuart Andrew: The hon. Gentleman is absolutely right to highlight the importance of the M56 and the whole of the cross-border connectivity routes, because the amount of people who live in Wales but work in England is significant. That is why the Secretary of State recently met the Under-Secretary of State for Transport, my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman), to discuss these issues—[Interruption.]

Mr Speaker: Order. These matters are of the utmost importance to the people of north Wales, and the question and the answer must be heard.

Albert Owen (Ynys Môn) (Lab): My daughter, Fiona, celebrates her birthday today, along with my hon. Friend the Member for Vale of Clwyd (Chris Ruane) and the late, great Nelson Mandela, who would have been 100 today. The north Wales economy depends on the port of Holyhead as the main port from the Republic of Ireland. Many businesses are concerned about a no-deal Brexit scenario. Will the Minister tell us whether there is a contingency plan for a no deal and if not, why not?
**Stuart Andrew:** First, may I wish the hon. Gentleman’s daughter a very happy birthday? As an Anglesey boy myself, I know how important the port of Holyhead is not just to the Isle of Anglesey but to the whole of north Wales and the whole of the country. That is exactly why this Government are working closely with ports around the whole country as we prepare for our exit from the European Union.

**Cross-border Transport Links**

14. **Kevin Foster** (Torbay) (Con): What assessment has the Department made of the adequacy of cross-border transport links to and from Wales and (b) effect of those links on economic growth.

**The Parliamentary Under-Secretary of State for Wales (Stuart Andrew):** Abolishing the Severn tolls will drive the biggest economic stimulus Wales has seen in decades and create the most natural cross-border economic growth corridor, spanning Cardiff through to Bristol and Newport. The UK Government are looking at the capacity and investment needed for roads in the south-west of England once the tolls are abolished.

**Kevin Foster:** I thank my hon. Friend for his answer. The value of removing those tolls to the economies of both south Wales and south-west England cannot be overestimated. What, in his assessment, would be the impact on economic growth of removing those tolls on the bridge?

**Stuart Andrew:** My hon. Friend is absolutely right. This is a significant announcement. The fact that people will be able to cross the border between Wales and England and not have to pay a toll will, we hope, increase economic activity and improve the number of people who enjoy tourism in both the south-west and Wales.

**PRIME MINISTER**

*The Prime Minister was asked—*

**Engagements**

Q1. [906520] **Alison Thewliss** (Glasgow Central) (SNP): If she will list her official engagements for Wednesday 18 July.

**The Prime Minister (Mrs Theresa May):** Today marks 100 years since the birth of Nelson Mandela. I am sure that the whole House will want to join in paying tribute to his extraordinary life and agree that his message of forgiveness, peace and reconciliation is as relevant today as it ever has been.

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.

**Alison Thewliss:** I am proud to have Nelson Mandela Place in my constituency, and we celebrate that today as well.

There were 934 drug-related deaths in Scotland last year. Each one of those deaths is a tragedy, and a preventable one at that. Drug laws are reserved to Westminster. How many more families is the Prime Minister willing to devastate before she will allow Glasgow to get on with the work of building a drug consumption room to save lives?

**The Prime Minister:** I agree with the hon. Lady that each death due to drugs is a tragedy, and I am sure that every Member of this House will have known people in their own constituency who have gone through that terrible suffering when they have lost members of their family. There is no legal framework for the provision of drug consumption rooms in the UK and we have no plans to introduce them. A range of offences is likely to be committed in the operation of drug consumption rooms. It is for local police forces to enforce the law in such circumstances and we would expect them to do so, but our approach on drugs remains very clear: we must prevent drug use in our communities and support people dependent on drugs through treatment and recovery.

Q4. [906523] **Andrea Jenkyns** (Morley and Outwood) (Con): Could the Prime Minister inform the House at what point it was decided that Brexit means remain?

**The Prime Minister:** At absolutely no point, because Brexit continues to mean Brexit. I know that my hon. Friend wants us to talk about the positives of Brexit and I agree with her: we should be talking about the positive future for this country. I understand that she has also criticised me for looking for a solution that is “workable”. I have to say, I disagree with her on that. I think what we need is a solution that is going to work for the United Kingdom, ensure that we leave the European Union and embrace that bright future that we both agree on.

**Jeremy Corbyn** (Islington North) (Lab): I, too, pay tribute to Nelson Mandela on the centenary of his birth. The people of South Africa stood up against the most vile injustice of apartheid. Their solidarity and the solidarity of people around the world freed him and ended the scourge of apartheid. We should pay tribute to all of them on this day.

People are losing trust in this Government. The Transport Secretary, the International Trade Secretary and the Brexit Secretary were all members of the Vote Leave campaign committee. The Environment Secretary was the co-chair. They have been referred to the police by the Electoral Commission, having refused to co-operate with the Electoral Commission. Will the Prime Minister guarantee that her Cabinet Ministers will fully co-operate with the police investigation?

**The Prime Minister:** I say to the right hon. Gentleman that I actually question the way in which he put his question. He has made an accusation in this House against Members of this House—[Interruption.]

**Mr Speaker:** Order. The question was heard and the Prime Minister’s answer must be heard.

**The Prime Minister:** The right hon. Gentleman has made an accusation in this House against individual Members of this House and of the Government, and I suggest that, when he stands up, he reflects on whether or not it was correct to do so. The Electoral Commission is an independent regulator, accountable to Parliament,
not to the Government. It has, as we know, taken steps in relation to the Vote Leave campaign. I would expect that all those involved and required to do so will give the evidence that is required and respond appropriately to any questions that are raised with them. But I say again to the right hon. Gentleman that I think he should stand up, think very carefully about making accusations about individual Members, and withdraw.

Jeremy Corbyn rose—[Interruption.]

Mr Speaker: Order. People can rant from a sedentary position for as long as they like. It will not change the way proceedings are conducted in this session. The Prime Minister’s answers will be heard and the questions from the right hon. Gentleman will be heard, and no amount of orchestrated barracking will change that fact this day or any other.

Jeremy Corbyn: Thank you, Mr Speaker.

I stated the fact that the Electoral Commission has made that reference. That is what I said. I asked the Prime Minister for a guarantee that her Ministers will co-operate with the police on any investigations that they may make. That is not judgmental—it is a guarantee they will co-operate. These are serious issues. Current Cabinet Ministers were indeed central to the Vote Leave campaign. After two years of dither and delay, the Government have sunk into a mire of chaos and division. The agreement that was supposed to unite the Cabinet is no more. The Cabinet Ministers were indeed central to the Vote Leave campaign. After two years of dither and delay, the Government have sunk into a mire of chaos and division. The agreement that was supposed to unite the Cabinet is no more.

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Jeremy Corbyn: Yes, but from where is it coming? From the Crown Office. From the Electoral Commission. That is the facts. What we are asking is very simple. Can the Prime Minister confirm today that all those involved and required to do so will give evidence that is required and respond appropriately to any questions that are raised with them?

The Prime Minister: I am happy to ensure that they get a copy after these PMQs so that they can perhaps read it and understand what the Government are doing. There are indeed differences between the Leader of the Opposition and me on this issue. I will end free movement; he wants to keep it. We want us out of the customs union; he wants us in. I want us out of the single market; he wants us in. I want us to sign our own trade deals; he wants to hand them over to Brussels. I have ruled out a second referendum; he doesn’t know what he is supposed to be doing. Two years on from the referendum and 16 months on from triggering article 50, is it not the case that the Government have no serious negotiating strategy?

Jeremy Corbyn: What is the Government’s plan now for customs?

The Prime Minister: Our plan is to conduct the negotiations we have to conduct with Brussels. That will take place over to Brussels. I have ruled out a second referendum; he doesn’t know what he is supposed to be doing. Two years on from the referendum and 16 months on from triggering article 50, is it not the case that the Government have no serious negotiating strategy?

The Prime Minister: The right hon. Gentleman is wrong. We have not abandoned the facilitated customs arrangement. We are discussing it with the European Union.

Jeremy Corbyn: Does the Prime Minister seriously expect 27 member states of the EU to establish their own bureaucratic tariff-collection infrastructure just to satisfy the war within the Conservative party in Britain? On Monday evening, the new Brexit Secretary was starting the next round of Brexit negotiations. No wonder he didn’t turn up—he doesn’t know what he is supposed to be negotiating. Two years on from the referendum and 16 months on from triggering article 50, is it not the case that the Government have no serious negotiating strategy?

The Prime Minister: The right hon. Gentleman is just plain wrong in his interpretation of what is happening. I have a copy of the White Paper here and I am very happy to ensure he gets a copy after these PMQs so that he can perhaps read it and understand what the Government are doing. There are indeed differences between the Leader of the Opposition and me on this issue. I will end free movement; he wants to keep it. We want us out of the customs union; he wants us in. I want us out of the single market; he wants us in. I want us to sign our own trade deals; he wants to hand them over to Brussels. I have ruled out a second referendum; he won’t. There is no doubt which of us is respecting the will of the British people and delivering on the vote, and it is not him.

Jeremy Corbyn: We are 11 days on from the so-called Chequers agreement, and the Brexit White Paper did not even survive contact with the Cabinet or the Tory Back Benches, and has not yet even been discussed with the EU. The White Paper states: “The UK is committed to membership of the European Convention on Human Rights”. Is the new Brexit Secretary signed up to that?

The Prime Minister: Let me say to the right hon. Gentleman that we are signed up to that: it was in our manifesto. Let me also say to him that he has stood up and asked virtually the same question, and obviously
Jeremy Corbyn: The Prime Minister obviously forgot the question that I just asked her, which was about the Brexit Secretary’s support or otherwise for the European convention on human rights. He is on record as saying: “I don’t support the Human Rights Act and I don’t believe in economic and social rights”. He is obviously backsliding to keep his job, or that is the new policy of the Government.

With only three months to go until the final withdrawal agreement is due to be signed, the former Brexit Secretary has resigned, the White Paper is in tatters, and the new Brexit Secretary is skipping negotiations. After two years of negotiating with themselves, the Government wanted to shut down Parliament five days early. They have even given up on negotiating with each other. Is it not the case that the Government are failing to negotiate Brexit and failing to meet the needs of the—[Interruption.]

Mr Speaker: Order. I know what the attempt is, and it is not going to work. The right hon. Gentleman will complete his question. He will not be shouted down, not today and not any day. Learn it: it is quite simple.

Jeremy Corbyn: Thank you, Mr Speaker.

Is it not the case that the Government are failing to negotiate Brexit and failing to meet the needs of the country because they are too busy—far too busy—fighting each other?

The Prime Minister: Let me tell the right hon. Gentleman what I have been doing over the last week, and let me also look at what the right hon. Gentleman has been doing over the last week. While I was agreeing the future of NATO with President Trump—[Interruption.]

Mr Speaker: Order. Mr Lewis, you are a very over-excitabl...
Conservatives, stop the fear-mongering, get behind their country and support the Prime Minister as she leads us out of the European Union?

The Prime Minister: There are strong feelings around the whole House on this issue, but what we need is a deal that is credible and workable, that protects jobs and protects our precious Union, and that delivers on the result of the referendum. That is exactly what we are doing with the Chequers agreement. It allows the UK to leave the European Union, and to take back control of our money, laws and borders. That is what our plan delivers. As my hon. Friend says, let us work together and deliver for the British people.

Q2. [906521] Rosie Cooper (West Lancashire) (Lab): If I may, in relation to ongoing matters—[ Interruption. ]

Mr Speaker: Order. This is extremely serious and it will be heard.

Rosie Cooper: Thank you, Mr Speaker. In relation to ongoing matters, may I, on a personal note, thank the Prime Minister, the Leader of the Opposition and every single Member of this House for the kindness they have shown me?

I am delighted to be in my place to be able to ask the Prime Minister a question. So, to the question—to business. Does the Prime Minister agree that, as part of the Government’s attempt to expand capacity in the NHS, existing sites such as Ormskirk hospital in my constituency, where there is capacity to build an extra floor, should be prioritised for expansion ahead of simply building a new hospital at much greater cost, depriving the NHS of much needed investment which should go into patients and staffing?

The Prime Minister: First, may I say to the hon. Lady how very good it is to see her in her place in this House? [HON. MEMBERS: “Hear, hear.”] And I know from the response that that view is shared across the whole of this House.

The hon. Lady raised an issue to do with the NHS and Ormskirk hospital. As she will know, we are putting extra funding into the national health service: £20 billion a year in real terms by 2023-24. We will have funding available not just to build sites but, as she says, to improve current and existing facilities across the country. On Ormskirk hospital, I understand the Northern England Clinical Senate has issued a report making proposals around the provision of emergency services there. No decisions have been made—that is a matter, of course, for the NHS—but as we look to the long-term plan, I want NHS clinicians to come forward with the best proposals for patients and to take account of local interests such as those the hon. Lady has raised.

Q10. [906529] Chris Philp (Croydon South) (Con): Around the world Christians are facing a rising tide of persecution and violence. Does the Prime Minister share my concern at this trend and at particular cases such as those of Sunil Saleem, a Christian man who was beaten to death at a hospital in Lahore in Pakistan, or 33 women in Eritrea who were imprisoned simply for praying? In this country we rightly protect religious freedoms; will my right hon. Friend step up efforts to get other countries to similarly respect religious freedoms?

The Prime Minister: As a Government we stand with persecuted Christians all over the world and will continue to support them. It is hard to comprehend that today we still see people being attacked and murdered because of their Christianity, but we must reaffirm our determination to stand up for the freedom of people of all religions and beliefs and for them to be able to practise their beliefs in peace and security. I am very pleased that I have been able to appoint the noble Lord Ahmad as the Government’s special envoy on freedom of religion or belief, and he will certainly be doing what my hon. Friend suggests: working with other countries to encourage them to recognise the importance of allowing people to have the freedom to practise their religion and beliefs in peace and security.

Q3. [906522] Dr David Drew (Stroud) (Lab/Co-op): In view of the fact that schools in the Stroud constituency are telling me they are forced to use core funding to cover the additional requirements of special educational needs and that special schools in the constituency are having to meet considerable rising costs, will the Prime Minister look at the national funding formula with the aim of helping those schools, to make sure they are fully inclusive and that we help those who are most vulnerable because of their special needs?

The Prime Minister: I have long championed the need for children with special needs to be able to be provided for in the setting that is most appropriate for them. For some that will be a mainstream school; for some it will be a special needs school. We have of course changed the national funding formula to make it a fairer distribution across the country, but, as I have said, I recognise the need to ensure that children with special needs are provided for in the most appropriate setting.

Q11. [906530] Luke Graham (Ochil and South Perthshire) (Con): The establishment of a spaceport in Scotland will give the UK the capability to launch satellites from British soil for the first time ever. Considering the opportunities presented by space and aerospace, will the Prime Minister meet me to discuss more investment for Scotland, in particular the Kinross aerospace centre in my constituency that is being proposed as part of the Tay cities deal?

The Prime Minister: I thank my hon. Friend for raising this issue; it is absolutely right of him to highlight the opportunities that our announcement on spaceports give us. We have awarded grants worth £31.5 million to enable satellites to be launched from UK soil for the first time, and that is worth a potential £3.8 billion over the next decade to the UK economy. This is the start of a new space age in the UK; it is a huge boost to our world-leading space sector, making the UK a one-stop shop for new satellite services. My hon. Friend has put a bid in for his own constituency in this regard, and I am sure my right hon. Friend the Business Secretary will be happy to meet him and discuss that.
Q6. [906525] Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): The Bunny Hill and Washington urgent care centres in my constituency, and the Houghton urgent care centre in my neighbouring constituency, are under threat of closure by the Sunderland clinical commissioning group. It is not good enough for the Prime Minister just to say that these are simply local decisions, because local people certainly do not want those closures. What will she say to my constituents who rely on those vital urgent care centres, and to the staff at Sunderland Royal A&E who are going to have to deal with the aftermath of the closures?

The Prime Minister: The hon. Lady complains to me that we want decisions to be taken at local level by the NHS, but I believe it is absolutely right that decisions are taken at local level. When the NHS takes those decisions, the important thing is that it puts the interests of patients, the safety of patients and the treatment of patients first. She has raised this particular issue, and I certainly believe that it is right not for politicians here to make a decision like that but actual clinicians and others working in the national health service to do so.

Q14. [906533] Mr Marcus Jones (Nuneaton) (Con): I celebrated the 70th birthday of our NHS with patients and the fabulous staff at the Oakwood day mental health hospital in Nuneaton. Mental health has always been the Cinderella of the NHS. Will my right hon. Friend join me in thanking our doctors and nurses who work in mental health, and will she say what more we can do to improve mental health and what resources the Government will put into that?

The Prime Minister: I join my hon. Friend in commending the work that is done by all our dedicated staff in the national health service. They continue to do that wonderful work with considerable commitment and dedication. He is right to say that mental health is important. It has been overlooked for too long, and that is why this Government have been putting a focus on mental health. We have been doing more, but there is more to be done. We are putting more money in, and we have announced a new package of measures backed by £6 million in funding, which includes rapid access to mental health services and support for children and their whole families where there is a dependent drinker. Spending overall on mental health issues is at record levels and growing, with a planned record £11.86 billion for 2017-18, increasing by a further £1 billion by 2020-21. It is right that we put this important focus on mental health, and I thank my hon. Friend for raising this.

Q7. [906526] John Woodcock (Barrow and Furness) (Ind): My extraordinary constituents help to keep the nation’s lights on, and they keep us safe by building the Royal Navy’s submarines. They deserve a train service that is worthy of the name, so will the Prime Minister get a personal grip on this fiasco? Just this weekend, we saw 170 services cancelled across the Northern network because there was a World cup game on.

The Prime Minister: Like the hon. Gentleman, I believe that constituents deserve a rail service that provides for them and their needs. I recognise the problems that have been experienced on Northern, and of course on Govia Thameslink as well. We have given unprecedented powers and funding to Transport for the North, but the issue that he raises in relation to the World cup was one that affected other train services as well, because of the way in which many services operate, and their requirements for drivers and their relying on volunteers to turn up at weekends. This experience may very well be one that the train operators will want to look at, to ensure that in future they can provide the services that constituents need.

Mr David Davis (Haltemprice and Howden) (Con): As the Prime Minister is aware, the Department for Exiting the European Union carried out a study of all the previous free trade deals that the European Union had done, in order to create a draft free trade deal that was based solely on European precedent. The Department was—until I left, at least—creating a legal text of such a draft treaty as a fall-back option for the current negotiations. Will she agree to publish that text when it is complete?

The Prime Minister: First, I would like to take this opportunity to thank my right hon. Friend for the work that he did as Secretary of State for Exiting the European Union. Secondly, as he knows, we have published the proposals that we have for the future trade relationship with the European Union. Of course, as we look through those negotiations, we will be looking to see where the European Union has entered into certain agreements with others in the past. Very often, the European Commission will say, “X can’t be done,” only for us to say, “X was done with another country and therefore it is possible for it to be done with us.” But what I want to see is not just an amalgam of those free trade agreements but an ambitious plan—which is what I believe we have produced—that will protect jobs in this country, deliver on the referendum result and, crucially, ensure that we have no hard border between Northern Ireland and Ireland.

Q9. [906528] Dr Alan Whitehead (Southampton, Test) (Lab): The largest apprenticeship provider in Southampton recently reported to me that he has suffered a 70% drop in apprentices on his books since the introduction of the levy-based apprenticeship system. That accords with figures from other providers in my area and means that hundreds of young people will now not get the apprenticeships they need. What is the Prime Minister doing to get the disastrous roll-out of the levy-based apprenticeship system back on the road?

The Prime Minister: What we have seen since the apprenticeship levy was introduced is a change in the number of people doing apprenticeships, but we have also seen an increase in the quality of the apprenticeships that are being undertaken. The Government are now looking at how the levy is operating to ensure that we can do what I want to do, which is ensure that every young person has the opportunity to pursue the course, be it of education or training, that is right for them and that is going to give them the best start in life.

Mr Keith Simpson (Broadland) (Con): My right hon. Friend should be commended for her sangfroid a week ago in dealing with a giant ego—somebody who believes that truth is fake news and leaks continually. I am not
referring here to the right hon. Member for Uxbridge and South Ruislip (Boris Johnson): I am of course referring to President Trump, who has acted in a very bizarre way over intelligence. I know that my right hon. Friend the Prime Minister has to work with him, but he is not alarmed at the way in which he refused to challenge President Putin over the Russian activity that recently resulted in the death of a woman here in Salisbury?

The Prime Minister: I understand that there have been some clarifications of some of the statements that President Trump made. I did raise with President Trump the incident in Salisbury and the fact that we have seen somebody die here in the UK as a result of contact with a nerve agent. Of course, we took immediate action at the time after the Salisbury attack when we had been able to attribute it to Russia. The United States stood alongside us, as did many other nations across the world, and took action against Russia, which showed a united international front that sent a clear message that we will not accept this behaviour; that this is not behaviour that Russia can conduct with impunity and that we will continue to act together.

Q12. [906531] Dan Carden (Liverpool, Walton) (Lab): Carillion forecast an £83 million loss on the Liverpool Royal Hospital, and physical cracks now exist in the structure's concrete beams. It is 16 months late, over budget and structurally unsound, but the answer to my question in the Prime Minister's absence last week offered no solutions. Will she now take responsibility for finishing and opening the new Royal and guarantee that the spiralling costs will not fall to the hospital trust, which would cut the budget for patient care in Liverpool for decades to come?

The Prime Minister: The hon. Gentleman raised this in my absence last week, so he will know that we are supporting the Royal Liverpool and Broadgreen University Hospitals NHS Trust in its work on this, and we want to see the new hospital built as quickly as possible while securing best value for money in doing so. The Government and the trust continue to be in active discussions with the existing private sector funders to see whether there is a way forward to complete the remaining work on the hospital. It has taken longer, and further issues were uncovered during the process, but the way that we are approaching the situation is the right way to ensure that we are clear about what we are dealing with. We want to make the right decisions, and it is right that those discussions continue.

Mr Steve Baker (Wycombe) (Con): It is in the national interest that we should have, and have implemented, contingency plans for the unwanted eventuality of exiting the European Union with nothing agreed. Now there is collective agreement to accelerate the delivery of our plans, will my right hon. Friend please give instructions that every communication related to no deal serves to bolster our negotiating position by reinforcing the credibility and feasibility of those contingency plans?

The Prime Minister: I thank my hon. Friend also for referring here to the right hon. Member for Uxbridge and South Ruislip (Boris Johnson): I am of course referring to President Trump, who has acted in a very bizarre way over intelligence. I know that my right hon. Friend the Prime Minister has to work with him, but he is not alarmed at the way in which he refused to challenge President Putin over the Russian activity that recently resulted in the death of a woman here in Salisbury?

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Q13. [906532] Alex Cunningham (Stockton North) (Lab): My constituent Andy McLean arranged to sell his house to an online company, WeBuyAnyHouse-Quickly.com. He agreed a price and then saw it cut by more than 20% on the day contracts were to be exchanged and after he had incurred a fortune in deposit, legal and other costs associated with his new house purchase. Will the Prime Minister instruct Ministers to bring forward regulations so that people like my constituent can be protected from such rip-off companies and their cowboy tactics?

The Prime Minister: The hon. Gentleman raises a very specific issue, and I am happy to ensure that the responsible Ministers will look at that issue.

Sir Hugo Swire (East Devon) (Con): For a Minister to be able to do their job, they rely on getting impartial, sound and honest advice from their civil servants. When that sacrosanct relationship is broken, there needs to be a full and proper investigation. My right hon. Friend will be aware that the Select Committee on Home Affairs has called for the full, open and transparent publication of Sir Alex Allan’s Windrush report. Will my right hon. Friend therefore use her stamp of authority as Prime Minister and insist that we get to the bottom of this and see who was told what and when in order that it does not look like another cover-up?

The Prime Minister: It is important, as Alex Allan himself has made clear, that proper consideration is given to the publication of information involving individuals’ personal information, but I know my right hon. Friend the Home Secretary is considering this matter very carefully.

Nigel Dodds (Belfast North) (DUP): I commend the work of the charities Shine and SBH Scotland for their work in assisting people affected by spina bifida and other such conditions. Those charities, public health authorities, scientists and others all agree on the need to reduce the number of pregnancies that have neural tube defects by the mandatory fortification of flour with folic acid—the USA and other countries do that already. Will the Prime Minister look at bringing the UK into line by introducing this very important public health preventive action?

The Prime Minister: The right hon. Gentleman raises an important issue, and I join him in commending the excellent work of charities on this issue. We all want mums-to-be to have healthy pregnancies and, of course, there is NHS guidance on the supplements, such as folic acid, that women planning a pregnancy should take before conception and, indeed, until the twelfth week of pregnancy. Women are recommended to eat more folate-rich foods during pregnancy. We will continue to look at this issue to ensure that the advice and the action that is taken are absolutely right to ensure that mums-to-be have healthy pregnancies.
Anna Soubry (Broxtowe) (Con): I am sure the whole House will join me in congratulating Sir Cliff Richard on his successful action against the BBC, which behaved atrociously in its illegal invasion of his privacy. Will my right hon. Friend look again at changing the law so that a suspect is not named by the media until such time as they are charged? I know I am off her Christmas card list, but I have tabled a private Member’s Bill that commands cross-party and, I think, widespread support—I am more than happy to call it Cliff’s law. Will the Prime Minister please agree at least to look at the Bill, because Sir Cliff is not alone and this is not confined to sexual offences? Suspects should not be named by the media until such time as they are charged.

The Prime Minister: Obviously, my right hon. Friend has raised a very important issue. She has raised it in the specific case of Sir Cliff Richard, but, as she said, this does not just relate to somebody who is well known and in the public eye. This is a difficult issue, it has to be dealt with sensitively and I looked at it when I was Home Secretary. There may well be cases where the publication of a name enables other victims to come forward and therefore strengthen the case against an individual. So this is not somewhere where we either do all of one or all of another; it is an issue for careful judgment. But in exercising that careful judgment, the police have to recognise their responsibilities and the media need to recognise their responsibilities as well.

Mr Speaker: It is good to welcome the hon. Lady back to the House; I call Naz Shah.

Naz Shah (Bradford West) (Lab): Thank you, Mr Speaker. On Saturday, we had the international day of remembrance for victims of honour abuse. This Friday, it will be two years to the day since the rape and murder of my constituent Samia Shahid, who was lured to Pakistan. I thank colleagues in the House, and, in particular, the leader of my party, for showing solidarity with the #honourher campaign today. Will the Prime Minister once again reiterate our commitment to eradicating violence against women and girls? Will she also urge the Pakistani authorities to give justice to Samia Shahid—two years on we are still waiting for a trial?

The Prime Minister: The Foreign Office is aware of the particular case and the issue the hon. Lady has raised in relation to the Pakistani authorities, but I am happy to reconfirm our absolute commitment to work to eradicate violence against women. We should all be working to eradicate it.

Huw Merriman (Bexhill and Battle) (Con): Neuroblastoma is an aggressive form of cancer that impacts 100 children each year, most of whom are under five. Thanks to a campaign involving my constituents, the Jeffreys family, and many hon. Members from across this House, the National Institute for Health and Care Excellence has now approved a drug that may extend lives. Tragically for my five-year-old constituent Jack Jeffreys this has come too late, and he is now undergoing palliative care, with his family at his bedside. For his legacy, and for all of those other children who could lead longer lives, may I ask the Prime Minister to ensure that the NHS now commissions and uses this drug?

The Prime Minister: I am sure the whole House will join me in extending our thoughts and prayers to Jack’s family at what must be a terribly, terribly difficult and tragic time for them. As my hon. Friend has indicated, NICE has recommended the drug that he refers to for use in children; that was in draft guidance it recently issued. I understand the drug is now available across the NHS, through the cancer drugs fund, and NICE will be publishing its final guidance in August. I am sure the drug will be rolled out swiftly to ensure that as many people as possible are able to benefit from it as swiftly as possible.

Ms Harriet Harman (Camberwell and Peckham) (Lab): Last night’s shambles over the vote of the hon. Member for East Dunbartonshire (Jo Swinson) should put it beyond doubt that pairing is not the answer for MPs having babies. We are elected as MPs to vote in this place, but, obviously, we also have to ensure its value to Parliament. We are looking at the proxy voting and the report the Procedure Committee has brought out. We are looking very carefully at that issue. We want to ensure that we can facilitate parental leave in this place, but, obviously, we also have to ensure that there is a proper consultation. We are looking at the interests of not only individuals, but the whole House.
Govia Thameslink Franchise

Andy McDonald (Middlesbrough) (Lab) (Urgent Question): To ask the Secretary of State to update the House on the performance of the Govia Thameslink franchise.

The Minister of State, Department for Transport (Joseph Johnson): The shadow Transport Secretary has requested an update on the Govia Thameslink franchise. The Secretary of State and I have been clear that the way in which the timetable was implemented by GTR and Network Rail from 20 May provided an unacceptable level of service for passengers. The industry as a whole has apologised to passengers for the disruption suffered on Thameslink and Great Northern services.

I can inform the House that, on Sunday 15 July, GTR implemented an interim timetable, a planned step that aims to improve the reliability and performance of services for passengers. The Department is, of course, watching performance carefully. Some of the benefits that passengers are now seeing include: more trains—around 150 to 200 extra services each day; on-the-day cancellations, which are extremely frustrating for passengers, have been significantly reduced; passengers no longer need to check journey planners before they travel; and the public performance measure has improved on Thameslink, closing yesterday at 84% and at 86% on Great Northern.

However, as I said, the Department is closely monitoring for sustained performance improvements by GTR, and we will be holding it and its new chief executive officer to account. At the same time, the Department has been working hard to make sure that passengers receive compensation and an explanation for the disruption that they have suffered.

The worst affected Thameslink and Great Northern season ticket passengers will be able to claim compensation equivalent to one month of their season ticket from GTR for the disruption that they have suffered. Compensation will cover the period from 20 May to 28 July 2018. GTR will contact registered qualifying passengers by the end of August before a claims portal is opened for other passengers. That is identical to the compensation and an explanation for the disruption suffered on Thameslink and Great Northern services.

The Department has commissioned two reviews of what went wrong with the implementation of the May timetable. First, the independent Glaister review is under way and seeks to understand the factors that led to the disruption. Our aim is to make sure that we learn lessons so that this does not happen again. Within the Department, we have also started a hard review of this franchise to establish whether GTR has met and continues to meet its contractual obligations in the planning and delivery of the May timetable. As part of that process, we are looking at whether GTR has breached its contracts and we will not hesitate to take tough action against it if it is found to have been at fault.

We are still in the first days of the interim timetable on GTR and all timetables require time to bed in. My Department is watching GTR’s progress carefully and we want to see a continued increase in performance for passengers.

Andy McDonald: It is disappointing that the Secretary of State has had to be summoned here to update the House on the ongoing calamity that is the GTR rail contract, and it is just a shame that he has not turned up—yet again.

For four years, Gavia’s appalling service and performance have wreaked havoc and misery in the lives of millions of people. What have the Government done to hold the company to account? Precisely nothing. What does this disgraceful company have to do to be stripped of its contact?

GTR’s new interim timetable introduced on Sunday—its third in two months—was supposed to provide more certainty for the public, yet the disruption, delays and disaster are worse than ever. We learned this morning from ITV News that GTR underestimated the scale of the disruption caused by the timetable change by a factor of 10. This failure is totally unacceptable. Labour says that enough is enough. The Government must stop pussyfooting around and strip Gavia of its contract without delay. There is no need to wait for Stephen Glaister’s review of the timetabling chaos, to which the Minister refers, as it will not tell us what we do not know today. The Government and the rail industry have failed passengers both on GTR and across the north of England.

The Government’s threats to GTR mean nothing. Members of this House and the public are not reassured. Can the Minister tell the House whether GTR is in breach of its contractual obligations with the Department for Transport? If it is, will he remove the contract from the company?

The Government have already done a sweetheart deal with GTR over compensation. Can the Minister confirm who will pay for the compensation promised to passengers? Will it be the company or taxpayers?

Almost a year ago, the Government announced major rail investment cancellations on the last sitting day before recess thereby avoiding parliamentary scrutiny of the decisions. Perhaps the Minister could give the House some notice today of any cuts to transport investment that he plans to sneak out on the sly before or during this year’s summer recess?

Joseph Johnson: The Secretary of State would have been here had he not been at the Farnborough air show, which is a long-standing commitment that has been in his diary for a considerable time. I understand that he was on an aeroplane at the time the request came in, and it was simply not practical for him to make arrangements to be back in the Chamber to answer this urgent question.

Let me turn to the points raised by the hon. Gentleman. We will establish during the hard review whether GTR has been in breach of its contractual obligations. That process is under way. It is important that the Department follows due process in all these matters. He asked who will pay compensation. The compensation that I described—a month’s cash compensation for passengers on the most severely affected lines—will be predominantly funded by Govia Thameslink Railway. That is important, as it is the private sector operator of this train company and it will be providing the predominant amount of compensation.

Sir Nicholas Soames (Mid Sussex) (Con): Against the background of a truly deplorable few months for my constituents in East Grinstead, Haywards Heath and
Wivelisfield, the new timetable is beginning to bed down and provide a far more reliable and sustainable service, which is quite the opposite of what has been portrayed by the hon. Member for Middlesbrough (Andy McDonald) and greatly welcomed by my constituents. Will the Minister please continue to impress on the operator that the short-formed trains are really unacceptable and that we need to get back to the full-length trains as soon as we possibly can?

Joseph Johnson: I thank my right hon. Friend for recognising that there has been some progress and that that has started to benefit his constituents. Obviously, we want that to continue and that improvement to accelerate. We recognise that ensuring that there are fewer short formations, indeed no short formations, will be a very important part of that process.

Alan Brown (Kilmarnock and Loudoun) (SNP): Quite simply, the Secretary of State's handling of the rail franchise and the rail operations makes Brexit seem like an organised process. It really is a disgrace. What needs to happen before a company is stripped of a franchise? It is certainly not poor performance. Owing the taxpayer £2 billion and the Government cannot wait to step in and take it off the private operator's hands, but for poor performance, no; they just stand back and do nothing. What action has the Government actually been taking to sort out this mess with Gova Thameslink? As the shadow Secretary of State said, we are now on the third timetable. There have been 420-odd cancellations when it had anticipated 40, which shows what lack of a grip Gova has on this matter. Can the Minister confirm whether Gova is still in the running for the Southeastern franchise, and if so, why? How much compensation has been set aside by Network Rail, which is owned by taxpayers and is not a private company? I would like to ask when the Secretary of State will lead in these matters, but the true question is when will the Secretary of State resign because of these matters?

Joseph Johnson: The Department's top priority is to ensure that passenger services across GTR get back to the standard where they need to be. The hon. Gentleman asked about compensation; it is being predominantly funded by GTR, which will not receive payments that it would otherwise have received for delivering the timetable. Network Rail will make a contribution towards the cost of compensation, recognising that it too played a part in the disruption experienced by passengers. Our rail industry is in both public and private hands, so it is appropriate that both parts contribute to the important compensation that passengers will receive.

Sir Oliver Heald (North East Hertfordshire) (Con): My hon. Friend will recall the assurance given to me by the Prime Minister that "nothing is off the table"—[Official Report, 4 July 2018; Vol. 644, c. 313]—if the interim timetable fails. He is monitoring GTR's performance carefully, but so far this week it has been less good on the Cambridge line than in some other parts. Will he continue to put pressure on GTR for a proper service for my constituents, who have suffered so badly over recent weeks? Will he also look into compensation for carnet holders as well as season-ticket holders?

Joseph Johnson: I thank my right hon. and learned Friend for recognising that there has been improvement, even if it has not been consistent across all parts of the GTR network. We particularly want to see an even higher standard of service on Great Northern, which serves his constituency, than there has been. Performance overall has been improving: as I said, yesterday the PPMs on Thameslink were at 84% and at 86% on Great Northern. There have been some operational difficulties today due to a signalling failure, which is a Network Rail responsibility. As part of our work with GTR, we are ensuring that it pays particular attention to areas such as that of my right hon. and learned Friend where there has been poorer performance than that across the rest of the GTR franchise as a whole.

Lilian Greenwood (Nottingham South) (Lab): GTR's third attempt since May to implement a more robust and reliable timetable has been met with understandable incredulity by those passengers who are still experiencing more cancelled services, more confusion and dangerously overcrowded stations and platforms. How long is the DFT prepared to prolong the ridiculous situation in which the only available option to stabilise things is to cancel more trains, causing more pain for passengers who are paying handsomely for GTR's so-called service? If the Minister will not step in to take direct and effective action to put things right, is not the franchise in effect unfit for purpose? Does that not demonstrate the Department's total inability to act in the best interests of passengers?

Joseph Johnson: Things are improving, although they are not yet back at the level they need to be. More services are running today—150 to 200 each day—than before 15 July, as a result of the interim timetable that GTR has just implemented, and the number of on-the-day cancellations has been dramatically reduced, so the Chair of the Select Committee could give some credit to GTR for the kind of progress that we have seen since the introduction of the interim timetable on Sunday, while recognising that there is significant work still to be done.

Heidi Allen (South Cambridgeshire) (Con): I have to say to the Minister that on the lines in my area, which also run through Royston and St Neots stations in the constituencies of my right hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald) and my hon. Friend the Member for Huntingdon (Mr Djanogly), the new timetable did not go live, to all intents and purposes—most certainly not on Sunday, and we still had lots of cancellations on our lines on Monday.

I have two specific questions. First, like a lot of people I remain deeply dissatisfied that compensation is only for season-ticket holders, with other people having to use Delay Repay. What about my constituents who are having to drive to main commuter stations and that they would not normally use and sometimes having to pay £9 or £10 a day to park there? Would normally be able to walk to their own village station. We need to do better on compensation, and there are a lot of us who
will not let that drop. Secondly, how long is this hard review actually going to take? We are two months in and the service is still nowhere near acceptable.

Joseph Johnson: There are a number of elements to that. I recognise that services in my hon. Friend’s constituency have not been running perfectly, by any means. Some technical operational difficulties that were Network Rail’s responsibility have been at fault. There was a signal fault between Cambridge and Royston, which was a Network Rail issue, and there was a double track-circuit failure at Foxton, which was also a Network Rail issue and which has played a particular part in the difficulties that my hon. Friend’s constituents have been experiencing today.

On her point about compensation, the package has been designed to compensate the worst-affected passengers who travel every day on season tickets bought in advance. As I said, it is similar to the compensation that was offered to Southern ticket holders following the industrial action last year. Passengers who travel less frequently can claim Delay Repay compensation for the disruption that they experience, and we encourage them to do so.

Mr Speaker: The hon. Lady’s question, although comprehensive, was notably shorter than the delays about which she complained.

Clive Efford (Eltham) (Lab): I have said to the Minister in the House several times that Govia runs not only GTR but Southeastern. This morning, services were again delayed because of a broken-down train. That is not infrastructure; it is the rail operating company. Why do the Government turn a blind eye to Govia? It is not fit and proper and should have its franchises taken away.

Joseph Johnson: The Department’s hard review, which is under way, is looking into GTR’s preparedness for the timetable change and will leave the Secretary of State with the full range of options, should GTR be found not to have the managerial strength or capability to be a train operating company. All options will be available to the Secretary of State at the review’s conclusion, which we hope will come by the end of this month.

Sir Michael Fallon (Sevenoaks) (Con): First, when it comes to compensation, does my hon. Friend agree that the priority should be to improve the compensation on offer and accelerate it, so that people actually get the repayment that is being talked about? Secondly, will he tell the House how many route train drivers we are short of on the Thameslink service and when we expect to have a full complement?

Joseph Johnson: GTR will be proactively contacting my right hon. Friend’s constituents when they are in the group of severely affected passengers who hold season tickets. GTR will actively get in touch with them to ensure that they get the compensation to which they are entitled. GTR has been making significant progress with driver training, which is part of the underlying problems with the disruption, and we are pleased with that progress. That plays a part in ensuring that services are getting back to where they need to be.

Teresa Pearce (Erith and Thamesmead) (Lab): I listened to what the Minister said about reviewing the contract to see whether the terms had been adhered to; surely the contract is to run a rail service and surely GTR has not done that. What other business would possibly stay in business if it had to compensate its customers on a daily basis? What will it take for this contract to be withdrawn?

Joseph Johnson: The important questions that the hon. Lady raises will be answered by the Glaister review and the departmental hard review. We need to establish what responsibility GTR had for the disruption that passengers have experienced, while recognising that other actors are involved that also have a share in what has happened, including Network Rail.

Crispin Blunt (Reigate) (Con): As the Opposition spokesman implied, Mr Speaker, you probably could have granted this urgent question on any day in the past four years, since the London Bridge investment work began and the timetable fell over after new year 2015. Will my hon. Friend warn the Opposition, who focus simply on the GTR franchise, that there is a complex set of overlapping responsibilities in this area that mean that a simple solution is almost certainly the wrong one? Will he and his team address the complexity of the structure that started with the privatisation of this service back in 1993? Will he do what is within his power and address the grotesque unfairnesses in some of the fare structures and significantly improve the compensation deal, so that people who access the Thameslink service get compensation as well as those who are lucky enough to go on to a Thameslink train straight away?

Joseph Johnson: My hon. Friend raised the issue of the fare structure. He has been a tireless campaigner on this question on behalf of his constituents in Reigate and Redhill, and we take his concerns extremely seriously. He also made the important point that we should not leap to simplistic solutions, as the Labour party has done by thinking that there is a quick-fix answer to this in nationalisation. We have to remember that there are many actors in what has gone wrong, including Network Rail, which is, of course, in the public sector.

Tom Brake (Carshalton and Wallington) (LD): Many commuters and campaign organisations, such as St Albans commuter action group, will be watching this debate. They will want to know what role the Secretary of State had in choosing 15 July as the date for implementing the interim timetable. They will also want to know why, in response to a letter from the hon. Member for Croydon Central (Sarah Jones)—I thank her for writing that letter on behalf of MPs—the Secretary of State hid the fact that the DFT is on the industry readiness board, which has been responsible for the last two years for overseeing the introduction of the timetable. Is it not time for a performance monitoring system for Ministers, so that they can be sacked when they do not perform?

Joseph Johnson: The chair of the Office of Rail and Road, Professor Stephen Glaister, is looking into what went wrong with the introduction of the timetable so that we can learn lessons from it for December and subsequent changes. The terms of reference of the review allow him to examine DFT’s role in all decisions leading up to the introduction of the May timetable. The right hon. Gentleman asked about the Secretary of State’s
role in choosing 15 July for the introduction of the interim timetable. That was a decision of the operator, as I have already explained to the right hon. Gentleman in answer to a written question.

Tim Loughton (East Worthing and Shoreham) (Con): As a direct consequence of the third emergency timetable, which came in on Sunday, schools in East Worthing have had to bring forward the closing of their day by an hour because there are no longer any trains for their pupils. The punctuality rate will indeed improve, because with 100% of those trains no longer running, they are 100% punctual. What exactly will it take from the Glaister review—in addition to what thousands of our constituents tell us every single day about this shambles—to get this franchise removed once and for all, and as soon as possible? What will it take to get a proper compensation scheme that properly reflects the daily agony that our constituents are going through?

Joseph Johnson: My hon. Friend makes a powerful case on behalf of his constituents, who have suffered unacceptably as a result of the disruption that they have experienced. It is right that the industry and the Government have apologised for everything that constituents have experienced. We are working hard to ensure that the disruption comes to an end as soon as possible, and we are ensuring that there is compensation and a proper explanation so that lessons can be learned for the future.

Marsha De Cordova (Battersea) (Lab): In May, GTR issued guidance to its staff instructing them to ignore the needs of disabled passengers if not doing so would cause a delay to trains. We know that that was discrimination against disabled passengers. Does the Minister agree that no rail operator should be discriminating against disabled passengers? In future, will all rail franchises ensure that all disabled passengers are treated equally?

Joseph Johnson: It is entirely right that the train operating company in question apologised for that incident. No disabled passenger should be treated in such a way. Operating companies in question apologised for that incident.

Paul Scully (Sutton and Cheam) (Con): I welcome the hard review into GTR, which still has a tin ear when it comes to constituents who complain about their travel on the Sutton to Wimbledon loop. I also welcome the Glaister review, which is looking at the relationship between Network Rail, GTR and the train operating companies. What more can the Minister do to bring track and train back together in smooth operation?

Joseph Johnson: I refer my hon. Friend to the strategic vision for rail that the Secretary of State published in November last year. It builds on work to bring track and train closer together, so that we get the best out of the public and private sectors in a sense of partnership. That will address many of the dysfunctionalities in our present system, in which there is too much of a blame game between train operating companies and Network Rail. There is too much buck-passing, and we want to bring that to an end.

Daniel Zeichner (Cambridge) (Lab): “Not functioning properly” is a woeful understatement of the continuing misery that passengers from Cambridge are enduring. It started with the cancellation of peak-time services on Monday morning, when people who wanted to go to Kings Cross were told that they would be better off going to Liverpool Street. The previous evening I read in the Cambridge News that people who went to see Paul Simon found themselves left in London and had to pay £150 for a cab home. GTR will forever be remembered as the great train robbery. Has the Minister got a target for GTR to meet by next week? If it does not meet the target, will he finally strip it of the franchise?

Joseph Johnson: The hard review, which we have discussed this afternoon, is under way. It got going on 21 June, and it is looking carefully at the performance of the new timetable. This is early days—we are on day four of the new timetable—and it is important that we give it a bit of time to bed in before we leap to conclusions. We want to make sure that we get the processes right. Performance yesterday was significantly better than it had been prior to the introduction of the interim timetable, with public performance measures in the 80s. The PPM for Great Northern, which I believe is relevant to the hon. Gentleman’s constituency, was 86%. Some issues this morning with Network Rail performance have affected services out of Cambridge, but they are not GTR’s responsibility.

Maria Caulfield (Lewes) (Con): My constituency is a Southern-only constituency, and I have seven stations. Although they are not high-volume stations like nearby Haywards Heath or Brighton, they provide people’s only public transport for getting to work and school, and visiting our coastal tourist regions. Although the PPM figures are improving, Southern passengers are still experiencing short formation, complete removal of trains from the timetable and station skipping. Why are they not getting the same compensation as Thameslink passengers?

Joseph Johnson: We have focused compensation, as we did with the Southern compensation that resulted from the industrial action 18 months or so ago, on passengers who have been most severely affected. Although Southern passengers have experienced certain knock-on effects, they have not been as affected by disruption as those on the main Thameslink services and Great Northern services following the introduction of the timetable on 20 May.

Tim Farron (Westmorland and Lonsdale) (LD): My constituents stand in strong solidarity with, and have great sympathy for, the passengers of Govia Thameslink. Will the Minister make a statement on Arriva Northern Rail’s now tedious and predictable ongoing failure to serve Cumbria, in particular? Having cancelled every single train in June, four days ago Arriva Northern cancelled 33 trains on the Furness, lakes and coastal lines on one day. Given that the chaos predates the new timetable, the company cannot blame it. Will the Minister help us out by explaining precisely how dreadful Arriva Northern needs to be before he will get his act together, remove its franchise and give us back our trains?

[Interruption.]

Mr Speaker: Order. Somebody says, “Irrelevant.” Well, I exercised latitude. I think that there may be a diversionary route. The link between Cumbria and
Thameslink—if it exists—is tangential, but the hon. Gentleman has deployed such intellectual dexterity as he possesses, which I am sure is very considerable, to render his question orderly, in a manner of speaking.

Joseph Johnson: One link that joins these issues is the Glaister review, which is now under way. It will examine what went wrong in the run-up to the introduction of the timetable, and how it affected the hon. Gentleman’s constituency in Cumbria.

Mr Speaker: The professor has helped us, and that is very useful.

Nick Herbert (Arundel and South Downs) (Con): Some 2,400 trains have been cancelled at Hassocks, in my constituency, since the introduction of the new timetable. The interim timetable this week seems to have resulted in fewer cancellations, so it is an improvement, but trains are still being delayed. What it has not done is to restore the direct service from Hassocks to Clapham Junction, and Hassocks is unique among commuting stations in no longer having such a service. Will my hon. Friend undertake to look at the matter again and ask GTR to review that omission, with a view to putting it right in future timetable changes?

Joseph Johnson: I thank my right hon. Friend for recognising that there has been some improvement since the introduction of the interim timetable on Sunday. He has been a strong champion of his constituents and their rail services in Hassocks. He and I have discussed how we can restore the direct services that he has mentioned on several occasions, and we have had debates on them in the House. I assure him that I will continue to raise the matter with GTR.

Mohammad Yasin (Bedford) (Lab): The Minister is saying that there is no quick fix, but I suggest to him that there is a quick fix for Bedford rail users—reinstating the East Midlands Trains service for rail users. They are struggling with Govia Thameslink, which has breached its contract with the DFT twice since 2015 and has surely done so again. The major cause of the failure was insufficient and under-qualified drivers, and it is the same cause this time. Will the Government publish the remedial plan from the second breach so that we can determine the extent of Thameslink’s unprecedented and repeated failings?

Joseph Johnson: The hon. Gentleman has been a strong voice for his constituents. We have met on a number of occasions to discuss EMT’s services and the withdrawal of services to Bedford in the peak. As he knows, we are working hard with EMT to see what can be done. There is no easy solution, given the constraints, and I would caution him against thinking that there is a quick fix. If there were, the amount of effort that the Department and the train operators have been putting into finding a solution would have produced one by now.

Bambos Charalambous (Enfield, Southgate) (Lab): Despite the interim timetable from Govia Thameslink, my constituents continue to get a woeful service, as they have done for years, on the Great Northern route in and out of Moorgate. Does the Minister agree that it is about time that Govia was stripped of this franchise and the line given to the Mayor of London to run?

Joseph Johnson: The Secretary of State has indicated that he is open to looking at the shape of the franchise in future. Discussions have been held with the Mayor of London about perhaps including some elements of the current franchise within the orbit of Transport for London’s Overground service. We are totally open-minded to solutions that work in the passenger interest.

Diana Johnson (Kingston upon Hull North) (Lab): Following on from the final question asked by my hon. Friend the shadow Secretary of State, and in the light of speculation in the Railway Gazette, will the Minister give an undertaking that he will be coming before the House in the next few days, leading up to when we finish on 24 July, to announce that the electrification of the TransPennine route has been cancelled?

Joseph Johnson: I am here at the pleasure of Mr Speaker, and I cannot predict when I will be called. The TransPennine upgrade is a massive programme of investment. It is the flagship enhancement programme of the next control period for our railways. We will spend £2.9 billion on the TransPennine route in the course of the years 2019 to 2024. It is a phased programme that will include major civil engineering work, and it will also include electrification.
Northern Ireland: Recent Violence

1.22 pm

Tony Lloyd (Rochdale) (Lab) (Urgent Question): To ask the Secretary of State for Northern Ireland to make a statement regarding the recent violence in Northern Ireland and to outline what the Government are doing to assist the Police Service of Northern Ireland and local community organisations to ensure that violence does not return to the streets of Northern Ireland.

The Secretary of State for Northern Ireland (Karen Bradley): I start by paying tribute to the brave men and women of the Police Service of Northern Ireland and the emergency services. They have been working relentlessly over recent weeks to keep people safe and secure, and in some cases they have come under attack while doing so. I am sure the whole House will agree that we owe them a huge debt of gratitude. I, like the hon. Gentleman, was in Northern Ireland on 12 July to be briefed on the ground by the Chief Constable and the chair of the Northern Ireland Policing Board, when I stressed once again our admiration and support for the work that they do. This morning, I had further conversations with the Chief Constable and the head of the Northern Ireland civil service for an update on the latest situation.

Let me now set out the factual position. Last week, on 11 July, in Belfast and some surrounding areas of County Down, there were episodes of serious disorder following a court order to remove a bonfire that was considered to be unsafe. The public disorder took place throughout the evening and into the night, resulting in a number of hoax security alerts, pipe bombs, and a number of vehicle hijackings. A number of sporadic, isolated acts of violence have taken place in the days since 11 July, causing some damage to property—but thankfully there have been no injuries. I know from discussions with the Chief Constable that every effort is being made to bring to justice those responsible for this reprehensible activity. In addition, we witnessed unrelated, but serious disorder in Londonderry last week. This included violent acts of provocation against the police and, in some cases, petrol bombs being thrown at residential properties. There was also a serious shooting attack against police officers that could easily have injured anyone in the area.

I have been absolutely clear in my condemnation of this activity, which is a matter of deep concern for everyone who wants to see a peaceful and prosperous Northern Ireland. I am also clear that this violence is not representative of the wider community in Derry/Londonderry, who came together following a court order to remove a bonfire that was considered to be unsafe. The public disorder took place throughout the evening and into the night, resulting in a number of hoax security alerts, pipe bombs, and a number of vehicle hijackings. A number of sporadic, isolated acts of violence have taken place in the days since 11 July, causing some damage to property—but thankfully there have been no injuries. I know from discussions with the Chief Constable that every effort is being made to bring to justice those responsible for this reprehensible activity. In addition, we witnessed unrelated, but serious disorder in Londonderry last week. This included violent acts of provocation against the police and, in some cases, petrol bombs being thrown at residential properties. There was also a serious shooting attack against police officers that could easily have injured anyone in the area.

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For our part, the Government have invested significantly in the PSNI, with some £230 million of additional security funding in the 2010 Parliament and £160 million over the current spending review period. In addition, as a result of the 2015 Fresh Start agreement, we are providing £25 million to help tackle the scourge of paramilitary violence. Let me be very clear: paramilitary activity was never justified in Northern Ireland in the past, and it cannot be justified today. It must stop, and I know that the Chief Constable is committed to using the full force of the law to that end. All of us need to work together, across the whole community, to see that the malign influence of paramilitary activity is ended for good.

Tony Lloyd: I thank the Secretary of State for her comments so far. I join her in recognising the work of the PSNI, but also the work of community groups, particularly in Derry/Londonderry, who came together last Friday and whose actions almost certainly had an impact on the ongoing levels of violence that had taken place in the city. I also want to mention the forbearance of the communities that felt themselves under attack during that period.

I would say to the House, and probably to people in Great Britain, that the situation that took place last week, with different causes and different motivations, was unacceptable. None of us should over-dramatise what took place, but none of us should be foolish enough to think that it does not matter. We saw burnt-out buses across east Belfast. We saw one bus, at least, in Newtownards, hijacked at gunpoint. We saw a return to political violence in Derry/Londonderry. We also saw, as the Secretary of State said, the use of live rounds, possibly with the intent to take life—the life of a PSNI officer. That means that we are talking about very serious levels of civil disorder. I pay tribute to those who are bringing to bear efforts to control this. Nevertheless, we have to take it seriously.

There is now an obligation of leadership on Arlene Foster and on Michelle O’Neill, the respective leaders of the Democratic Unionist party and Sinn Féin, but there is also a demand for leadership from the Secretary of State and from the United Kingdom Government. In particular, we must now ensure that the Good Friday institutions are made once again to work. They were put in place precisely because they brought an end to the troubles. Some of them have fallen seriously into disrepute, others almost casually into disrepute.

In that context, I welcome the Secretary of State’s call to re-establish the British-Irish Intergovernmental Conference. That is right and proper. However, we need to know what the agenda of its first meeting will be. Will it look, for example, at the recent political violence and at the need to get the Stormont Assembly back into operation? It is not just a question of east-west; the BIIGC also has a role to play in the situation in Northern Ireland. The meeting also cannot be allowed to be a one-off. The BIIGC now has to be brought on to the basis of being a standing conference, so that the Government in Dublin can work with the Government here to bring legitimate pressure. We must also see the restoration of the Stormont Assembly, which is perhaps the most important institution. There the Secretary of State must take action, bringing all parties together until there is a resolution. That really does matter.

Finally, we congratulate the PSNI on its work. It is one of the real achievements of the Good Friday agreement, in generating trust across different communities. However, it is under-resourced, even on the basis of the Patten recommendations; the Chief Constable has requested 300 extra officers. The Secretary of State must now
show real action. Northern Ireland has had 547 days without a Government, breaking the record held by Belgium for non-government. That is not a great record. She must give leadership and get people back round that table.

Karen Bradley: The hon. Gentleman made a number of points. I start by joining him in paying tribute to the community groups in both Derry/Londonderry and Belfast. In east Belfast, community groups worked hard to ensure that the issues around bonfires were managed so as to minimise the effects. I am not complacent—I recognise that we saw violence that is unacceptable—but the community groups really helped by working together. I pay tribute to those groups and those communities, who, as he said, are the ones in the firing line—literally, in this case.

The hon. Gentleman is right that what we saw is unacceptable. Like him, last Thursday I saw those burnt-out cars and the level of disorder. To suggest that that level of disorder is acceptable on the streets of the United Kingdom—anywhere in the United Kingdom—would be absolutely inaccurate. We all join together in this House in condemning the activities and in paying tribute again to the PSNI and the work that it does.

The hon. Gentleman mentioned the PSNI’s resources. He will know that it has put in a specific bid around further resources and we are ensuring that that is looked at in government. Again, I pay tribute to the PSNI. As he said, we do have a British-Irish Intergovernmental Conference next week, the agenda for which will be available. We obviously want to ensure that we have an appropriate agenda that reflects the conference’s strand 3 nature.

I now finally join the hon. Gentleman in agreeing that we need devolved government in Stormont. Devolved government and the institutions established under the Belfast agreement are key. The relative peace and security we see in Northern Ireland is as a result of that agreement. I, as Secretary of State, will not shy away from taking steps that need to be taken to ensure good governance in Northern Ireland, but I agree that the best, most appropriate and effective way for the people of Northern Ireland is to see those decisions taken in Stormont.

Mark Pritchard (The Wrekin) (Con): I do not think I have ever commended the comments of any Sinn Féin politician before in this House, but does the Secretary of State agree that the comments of Gerry Adams, the former Sinn Féin leader, were helpful rather than unhelpful, and correct in that it is dialogue, not violence, that Northern Ireland needs?

Karen Bradley: I agree with my hon. Friend on the

Karen Bradley: I agree with my hon. Friend on the comments made by Gerry Adams and those made by Mary Lou McDonald, the president of Sinn Féin. I also agree with comments made by political leaders across all parties in Northern Ireland condemning the violence. The fact that the people of Northern Ireland have heard their political leaders saying the same thing with the same voice is incredibly important. That message needs to be made to the very, very small number of people—it is a very small number now—who do not believe that the way to resolve the issues in Northern Ireland is through dialogue rather than violence.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): We on the Scottish National party Benches of course condemn any acts of violence in Northern Ireland and any attempts by any party to destabilise the Good Friday agreement. I also pay tribute to the PSNI for its response to the unrest and for keeping local communities safe. The fact that all parties have condemned the violence demonstrates an appetite to work together constructively, thereby creating a window of opportunity for further talks on restoring power sharing.

Simon Coveney has visited Derry and met the PSNI residents, but the Secretary of State has not yet visited any areas affected by the violence. Will she tell the House why that is? Why has it taken an urgent question for her to address the House on this very important issue?

Karen Bradley: I thank the hon. Gentleman for his comments and for joining in the condemnation of the activity that we have seen. It is incredibly important to hear that united voice from this House, sending support and a message to those people in Northern Ireland who are standing up against violence.

I wish to correct the hon. Gentleman. He suggested that I had not visited any of the affected areas, but I was in east Belfast and Newtownards on Thursday, the site of some of the violence, and I intend to be in Derry/Londonderry in the near future. It is also worth saying that, as well as Simon Coveney, Arlene Foster visited the Fountain Estate in Londonderry over the weekend, again to show her solidarity with the community. He is right that the answer is to have devolved government in Stormont and to have those politicians, who are speaking with one voice—I pay tribute to them for that—not just speaking with one voice but acting with one voice.

Maria Caulfield (Lewes) (Con): I join my right hon. Friend in expressing deep admiration for the PSNI. Given that there is no functioning Assembly in Northern Ireland, will she identify what resources and extra support are going in to help support the PSNI and community groups, so that they can deal with any escalation in violence?

Karen Bradley: My hon. Friend is right to reflect on the fact that great credit needs to be paid to the PSNI. She asks about additional resources. In my comments I mentioned that the 2015 Fresh Start agreement provided £25 million of additional funding from the UK Government to help to tackle the scourge of paramilitary violence, and we have also put in £230 million in the 2010 Parliament and £160 million over the current spending review period.

Mr Gregory Campbell (East Londonderry) (DUP): I join the Secretary of State and the shadow Secretary of State in defending and exhorting the security services and community representatives in the light of the ongoing violence. The most sustained campaign of violence was in the Fountain/Bogside area of Londonderry. She is right: I invited my party leader there to tour the area—hopefully, the shadow Secretary of State will be able to do the same with his party leader—to speak to the people who have suffered as a result of violence. First, will she confirm that she has received a written invitation
from me to come and visit the area very urgently? Secondly, will she review the security implications of the fencing there, so that the people who have lived under threat and under terror for many, many years can receive some comfort and assurance that action will be taken to help them?

Karen Bradley: The hon. Gentleman is an assiduous constituency MP, who regularly raises many constituency issues with me. I join him in his tributes to the community and the PSNI for the work they have done. I can confirm that not only did I receive a written invitation from him but he personally hand-delivered that written invitation, so I have definitely received it.

James Heappey (Wells) (Con): During my own service in Northern Ireland, I have seen at first hand the skill with which PSNI officers react proportionately but robustly to public disorder and paramilitary criminality in the Province. Will my right hon. Friend join me in expressing admiration for the bravery and restraint that the PSNI shows when policing these very challenging situations?

Karen Bradley: I join my hon. Friend in saying exactly that. I visited the gold command centre on Thursday morning to see the work that those very dedicated public servants do; that is something that I will take with me for a long time.

Owen Smith (Pontypridd) (Lab): I also commend the PSNI and the community for the work they have done and unreservedly condemn those people who have perpetrated violence in Northern Ireland. Will the Secretary of State acknowledge that the vacuum in our politics in Northern Ireland is, while not wholly responsible, at last partly responsible? I urge her to do more to fill that vacuum with political dialogue and restore the institutions.

Karen Bradley: I agree that we need political dialogue, but there is no excuse for the violence we have seen. There can be no excuse whatsoever. It is totally unacceptable behaviour.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for her response, and for coming to the House to make that clear. I put on record my condemnation of the violence that took place across the Province, but in particular in my constituency of Strangford. Compare that, Mr Speaker, with the next day, when the Secretary of State attended the 12 July celebrations: we had a smashing day. It was good to see her there, and she was obviously very welcome.

What we need, Secretary of State, is more police on the streets. The Patten recommendation talked of 7,500 officers, but we now have 6,715—a shortfall. What are we doing to address that? The PSNI wants to address the scourge of paramilitaries and their activities across the Province. It has a strategy for that, but it needs the officers and needs the resources.

Karen Bradley: I did very much enjoy my day in Newtownards. As the hon. Gentleman knows, we have received a request from the PSNI, and we are considering that matter.

Several hon. Members rose—

Mr Speaker: I call Tom Pursglove.

Tom Pursglove (Corby) (Con): Thank you, Mr Speaker, but my question has already been covered.

Mr Speaker: That is an extraordinary and almost a novel development in the House of Commons—a Member who deliberately eschews repetition.

Chris Bryant (Rhondda) (Lab): It is the second time this week.

Mr Speaker: Is it the second time this week? The hon. Member for Corby (Tom Pursglove) will be in “The Guinness Book of Records”. Of that I think we can rest assured.

Chris Bryant: For many things.

Mr Speaker: Possibly for many things, as the hon. Gentleman chuntered from a sedentary position.

Nigel Dodds (Belfast North) (DUP): I hope I will not repeat what was said earlier. I thank the Secretary of State for what she has said. May I gently say to her that of course the experiences in my constituency over recent years reflect the fact that we have made considerable progress? There was worse violence at the time when the Executive was actually in place, ironically. I just make the point that these things are not necessarily linked. There are particular circumstances in Londonderry and east Belfast. The need for extra police resources is key. That is what the Chief Constable is asking for, and that is what the Secretary of State has heard today.

Karen Bradley: As the Chief Constable put it to me today, there has been slow but fragile progress. As the right hon. Gentleman knows, I have received the request from the Chief Constable, and I am considering it.

Gavin Robinson (Belfast East) (DUP): Thank you for calling me, Mr Speaker. I apologise for missing the start of the urgent question. I am grateful to you for your generosity. [Interruption.] I am very grateful, Mr Speaker—and we will move on from that.

The Secretary of State will be aware that, on the evening of 11 July, Assistant Chief Constable Todd made the quite extraordinary declaration that he expected widespread violence in the name of a paramilitary organisation, particularly in my constituency. As the Secretary of State knows, at least a dozen cars, caravans and so on were burnt out, which, to my mind, satisfies the conditions for a Chief Constable’s certificate and for compensation. Has the Secretary of State engaged with the PSNI, and will she confirm that steps are being taken to recognise the involvement of a proscribed organisation, and that compensation will be arranged quickly and efficiently?

Karen Bradley: I spoke to the hon. Gentleman, whose constituency was particularly affected, before the events of last week. I have spoken to the Chief Constable, but perhaps I can write to the hon. Gentleman with the specifics of our conversation.
Proxy Voting

1.42 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD) (Urgent Question): To ask the Leader of the House if she will make a statement on arrangements for Members on maternity, paternity or adoption leave and proxy voting.

The Leader of the House of Commons (Andrea Leadsom): I am grateful for the opportunity to respond to this urgent question. As I have said on many occasions, it is right that Members of this House have the opportunity to spend time with their new babies.

I want to start by saying that the situation that arose yesterday, where the pair between the hon. Member for East Dunbartonshire (Jo Swinson) and my right hon. Friend the Member for Great Yarmouth (Brandon Lewis) was broken, was not good enough. I am very sorry that it happened. I am assured by the Chief Whip that the breaking of the pair yesterday was done entirely in error and will not be repeated. My right hon. Friend the Member for Great Yarmouth has apologised directly to the hon. Member for East Dunbartonshire for the mistake, as has my right hon. Friend the Chief Whip on behalf of the Whips Office. I have the utmost respect for the hon. Member for East Dunbartonshire. In particular, her work on the steering group establishing the independent complaints and grievance policy has been invaluable.

I believe all new parents should be entitled to spend uninterrupted time with their new baby. This is vital for both the physical and mental health of parents and babies. The Government Whips Office has undertaken always to pair Opposition MPs on maternity leave from the start to the end of their leave, without applying any conditions. Should an MP who is on baby leave wish to vote in any particular Division, the pair will be re-established immediately afterwards for all subsequent Divisions until their baby leave ends. I am really sorry that an error was made yesterday, but I have been reassured that there remains a guaranteed pair for MPs who are currently pregnant or who have a new baby.

Pairing is a matter for the usual channels. I can tell the House that since the general election the pairing system has worked well overall. Almost 2,000 pairs have been arranged between Government and Opposition MPs. We have investigated yesterday's result in the light of the broken pair to see whether the result should be changed. As it would not materially change the result of the Division, we will not look to take further action on this occasion. However, I sincerely hope that the House can accept the apologies that have been offered.

On the issue of proxy voting, I know this is a matter of great interest to many Members on both sides of the House. I am planning to ensure the House can have the debate in the September sitting, and I will update the House further about its scheduling in the usual way. No one was more disappointed than I was that the debate we scheduled was unable to take place due to the tragic events in Amesbury. I am sure all Members look forward to discussing the matter further at the earliest opportunity.

Mr Carmichael: I thank the Leader of the House for her statement. I very much welcome the tone of what she says about the importance of maternity, paternity and adoption leave, and I am sure that is a matter of common accord across the whole House.

As the Leader of the House has said, as my party's Chief Whip, I was given an undertaking yesterday by the Government pairing Whip that the right hon. Member for Great Yarmouth (Brandon Lewis) would be absent from the Lobbies in accordance with the normal terms. I was therefore very concerned to learn that, although the right hon. Gentleman had not voted in the earlier Divisions or, indeed, even at the 6 pm Division, he had taken part in the Divisions at 6.15 and 6.30 pm. Obviously, this is a very serious breach of the convention. Within the usual channels, we rely on these agreements being honoured. The Government Chief Whip has apologised to me directly, and I of course accept that apology. It remains less than clear to me exactly how this came to pass, but I can pursue that directly with the Government Chief Whip outside the Chamber.

Yesterday's events are symptomatic of a wider problem, which is the question of relying on pairing to provide maternity, paternity and adoption leave. It is using a 19th-century practice to provide for cover under 21st-century employment law, and that is no longer good enough. I can think of no other area of public or business life where this would be allowed to happen, and I have to say that I think the House should no longer allow it either. My question to the Leader of the House is: will she reconvene the talks between the parties with a view to devising a sensible and workable solution to this problem? It is clear from recent days that we are likely to have a lot more knife-edge votes in the months to come. The Leader of the House is absolutely right that the result was not affected by the breach of the pair last night, but that is not to say that, at some point in the future, if it occurred again, that would not happen.

Those who are absent from their duties as a result of baby leave should be able to go on leave without their cover being subject to this sort of convention and the uncertainty that comes with it. They should be allowed to enjoy those most important first months secure in the knowledge that their absence is properly covered. We now need a properly organised system of proxy voting, and it is apparent from last night's events that we can no longer allow the situation we have tolerated thus far to continue.

Mr Speaker, you know that I have been a Member since 2001. When I was first elected in June 2001, my younger son was 10 weeks old. I rejoice in the progress—much of it at your behest—that the House has made in relation to childcare since that time, but it was not always thus. When I was first elected, children were not to be seen and they were certainly not to be heard within the House. I fear I may suffer when I get home for recounting this, but I remember that I once had to change my younger son's nappy in the Members' Cloakroom—obviously, he should not have been there because he was not a Member—on a copy of the Daily Record, because there was no changing mat to be found. Whether it was novel for that sort of content to be found in the pages of the Daily Record I will leave others to judge.

We have come a long way, but anybody who thought that we had done it all and that there was no more left to be done was sadly disabused of that last night. Will the Leader of the House please take these concerns seriously? All my experience in this House tells me that when the House accepts the need for change at an early
point we make sensible changes for ourselves. If we wait until change is forced on us, the law of unintended consequences will inevitably come into play.

**Andrea Leadsom:** I am grateful to the right hon. Gentleman for his remarks and I completely agree with him. I am personally committed and resolved to try to improve this issue for new parents. I think that I have demonstrated that commitment in my response to the urgent question. It was the tragic events at Amesbury that prevented the debate from taking place. The Procedure Committee has done a good job in providing thoughts about how proxy voting could work, but it has raised a number of questions on which it will be important for us to consult in this Chamber before we make a final decision. Let me remind colleagues of some of them: when should a proxy be used; should it be used for every type of vote, including those on going to war or a closure motion, when, as we know, colleagues should be present in the Chamber; and should it apply to all business, private as well as public, or only to Government business. There is also the contested question of whether it should apply only to baby leave or to other circumstances.

That is why I am so keen to have a debate in this place before we come to conclusions, but I absolutely agree with the right hon. Gentleman’s tone and his desire to see this resolved. I share that desire and, as I say, I will ensure that we get that debate during the September sitting.

On the right hon. Gentleman’s point about my right hon. Friend the Chief Whip, he has already committed to engaging again with Opposition Whips to try to find a better process. For our part, the Government will be tightening the procedure by which individual paired Members are made aware that they absolutely must not vote and between which hours of the day. I hope that the right hon. Gentleman will be reassured by that.

**Bob Blackman** (Harrow East) (Con): I thank my right hon. Friend for her contribution and her commitment to bringing the debate back to the Chamber. Clearly, the Procedure Committee carried out the review, as required by the House. Will she undertake to look at the aspects of the fundamental issue of Members being required to be present on the Estate or in the Chamber to register their votes? If we are going to change the system, will she consider allowing people who are hospitalised or have other complications to do so, too? They do not choose to be away, but are forced to be away because of medical conditions.

**Andrea Leadsom:** My hon. Friend clearly highlighted why we need further debate. I feel that there is something fundamentally different about baby leave over other sorts of leave, and I also feel that, were the House to undertake such a significant constitutional change to our conventions, we should start small because of the law of unintended consequences. That is a matter for further consultation with the House and I look forward to the debate in September.

**Several hon. Members rose—**

**Mr Speaker:** Order. Before I call other Members—I do want to hear others—in thanking the Leader of the House for what she said, I want to make the point, as much for wider public knowledge as anything else, that we know that the Procedure Committee looked at this matter and that many people gave evidence to the Committee, myself included, and I made it clear that I was personally perfectly happy with the idea of a proxy voting system in respect of baby leave in particular and that I would be happy to play my part in the operation of such a system.

For what it is worth, I think it is qualitatively in a different category from other requests for proxy voting, but that is a matter for the House to decide. The only other thing I would like to say, which is not directed at any one individual at all, is that I detect in the House and in representations made privately to me a very strong sense not merely that we should debate the issue again soon but that we should decide the issue and, if a change is agreed on, give effect to it. Obviously, if a change is not agreed on, that does not arise, but I think that there is concern about a potentially endless debate, which I feel absolutely sure the Leader of the House would not want and which I would not want. With good will, perhaps, and I think I speak for people on both sides of the argument, we can resolve the matter. I am sure that people would not want endless procrastination.

**Valerie Vaz** (Walsall South) (Lab): I thank the Leader of the House for her response and congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on his urgent question about this important issue. I thank you, too, Mr Speaker, for granting it.

Last night’s events do not reflect well on this House; I am sure the whole House agrees. It is time that we ensure that this is a modern workplace with modern employment practices. The Leader of the House and I had both decided on 5 July that we would not give closing speeches so that we could debate proxy voting, but she has said that she wants the debate in September. Could she arrange for the debate to take place next week, as we have just a general debate? There is time to discuss that.

Last night shows why the Government must urgently introduce proxy voting for those on baby leave. The Prime Minister’s answer earlier to my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) was simply not good enough. Consultation by this Government is always code for delay and obfuscation. Members of the Procedure Committee have taken evidence from you, Mr Speaker, and from all of us, and they have produced a report that we could debate immediately. I know that the Leader of the House wants urgently to find a way forward. Does she agree that proxy voting for those on baby leave could be introduced today without the need for debate through public agreement by all parties to nod through those on baby leave for every Division? We could ensure that those voting by such means were denoted by a “P” or, to make it really up to date—and I hope Hansard have this—a baby emoji, giving full transparency to the public. Will she agree to meet me today to discuss this?

It is vital that we are a modern workplace and that those on baby leave can have their vote recorded and take part in our proceedings as they want to and as they are elected to.

**Andrea Leadsom:** As I have just said, my right hon. Friend the Chief Whip has already started discussions with Opposition Whips on exactly those lines and others.
This House needs to decide how it wants to accommodate baby leave and I do not agree with the hon. Lady that we can just do that today. There are unintended consequences and implications of any solution we choose, and it is important that the House has the opportunity to debate the issue. It could be possible to have an earlier debate, but, of course, if I were to say that we would have a debate on Monday, the hon. Lady would ask why we were giving no notice. I felt it very important to ensure that suitable notice is given to enable Members to contribute to the debate in September.

Heidi Allen (South Cambridgeshire) (Con): We have to modernise. I come from a business background, I have worked in the public sector, and I have never experienced archaic practices like some of those that we have here. We have to change. We have to find an alternative, new way of voting. Dragging in sick and heavily pregnant Members does not send a good message to the public. It is not good enough for us to be okay in this place; we have to be better than okay. In everything we do, we have to display the very highest standards for the country to follow. I welcome what the Leader of the House has said. We need to debate this, and we need to do so fully. I accept that, but we must do so as a matter of urgency, and I worry that if the debate is in September we will have only a short window before we break again for the conference recess, and I want to have some sense that there is time for a vote and a decision. We need to do this with open minds, to decide it, as you say, Mr Speaker, and to embrace it and not be afraid of change.

Andrea Leadsom: I agree with my hon. Friend. I will table a debate, and we need to bring forward a solution with which the House is happy as soon as possible.

Pete Wishart (Perth and North Perthshire) (SNP): What happened last night was nothing short of appalling and underlines why the Scottish National party will have nothing whatsoever to do with these antiquated pairing arrangements. Pairing relies on trust and I am sorry, but we are absolutely right not to place our trust in Government Members. We have to ask how it was right that the right hon. Member for Great Yarmouth (Brandon Lewis) voted in some of these votes last night and not in others, and why was it that the most important votes were the votes that he voted in.

We have to change the voting arrangements of this House. We see that every day in the absurd waste of time of a headcount in cramped voting Lobbies, but to be disenfranchised for having a baby in 2018 demonstrates just how out of touch this archaic place is and how these arrangements should embarrass and shame this House. No more of these ridiculous pairing arrangements—we need reform now that recognises the realities of the communities we represent. We have a perfectly good Procedure Committee report and I gave evidence to that Committee, chaired by the hon. Member for Broxbourne (Mr Walker). All we have to do is agree and accept it. Surely now the Leader of the House can bring this forward at the earliest opportunity. Let us end this nonsense now.

Andrea Leadsom: As I have said, I will bring forward this debate at the earliest opportunity. I absolutely agree that we need to resolve this issue, but I gently say to the hon. Gentleman again, as I often do, that he has a perfect opportunity in the Lobby to come and talk to Government Ministers and to promote how he wants to improve the plight of Scotland. All he has to do is join us in our Lobby to be able to do that.

Mr Speaker: I think I can say in a non-partisan spirit that the Leader of the House is an optimist.

Will Quince (Colchester) (Con): Mr Speaker, I sat on your diversity and inclusion panel, and we discussed this issue at some length. We identified that it is far more complex an issue than just baby leave, as important as that is. For example, as we speak, I understand that the Parental Bereavement (Leave and Pay) Bill is being concluded. That would give two weeks paid leave for those who lose a child. This is a complex issue, so I very much welcome that my right hon. Friend is bringing forward the debate, but does she agree that such a complex issue needs to be debated in full by all Members of the House?

Andrea Leadsom: My hon. Friend is exactly right: we do need to debate this. I have already given some examples of where as yet un-agreed factors are involved. I think that consulting the House in the September sitting will give us the answers we want and we will be able to progress very quickly after that.

Liz Kendall (Leicester West) (Lab): I am afraid that it stretches credibility to think that the right hon. Member for Great Yarmouth (Brandon Lewis) could remember that he was on a pair for all the votes in the afternoon and then happened to forget at 6 o’clock, when everybody knew from the start of the day that they were the most important votes. That aside, I support what my hon. Friend the Member for Walsall South (Valerie Vaz) said. We have to get a wriggle on with this. We have massively important votes in October about the future of the country. If the debate is in September, will the Leader of the House guarantee that changes will be made before those big Brexit votes?

Andrea Leadsom: I will absolutely get a wriggle on. I point out to the hon. Lady that the issue of pairing is a matter for the usual channels, but as she will know, pairing can be per vote, and not necessarily for a whole day. I think that is where the error was caused. I understand the scepticism, but this apology is very genuine, and the mistake was very genuine. I ask hon. Members to accept that the pairing system does not quite work as the hon. Lady suggests it does.

Vicky Ford (Chelmsford) (Con): I have recently been elected as the chair of the all-party group on women in Parliament, which is a great honour. I was paired last night to help an Opposition Member who wanted to make sure that his vote was not missed. I also spent a number of years in the European Parliament, which a lot of people say is very modern in its voting practice, but it does not have a pairing system. I often saw women with very tiny babies travelling all across Europe to Strasbourg to vote, so the pairing system that I have witnessed here appears to me to be quite modern and far from archaic. However, it must be robust and respected. As a mother of three who once had to spend quite a lot of time with her baby when he was very unwell, I say that maternity leave is important but so is compassionate
leave, as is sick leave for one’s own reasons. I would like to see a proper debate so that all these types of leave can be properly respected, and not just baby leave.

Andrea Leadsom: I am grateful to my hon. Friend for giving us something of her experiences, both in the European Parliament and here. She is exactly right: there are some complicated factors to discuss and I look forward to having that discussion as soon as possible.

Chris Bryant (Rhondda) (Lab): Whips do get a bit of a bad rap sometimes. I must confess that quite a lot of Whips are among my best friends, including on the Government side of the House, and often they enable Members to do their jobs effectively, efficiently and well. However, when we are at a moment such as this, when frankly, a kind of total war is going on on key issues that affect the nation, it is going to be terribly difficult to make these conventions last. We have already had nodding through abandoned. We used to have a tradition that Whips, and Government Whips in particular, never patrolled the Benches inside the Chamber to try to prevent people from moving motions and things like that, but we now see that as standard in all the debates. We have to move forward with a vote on this issue as soon as we possibly can, so that we just take the temperature down a bit.

Andrea Leadsom: The hon. Gentleman is often in this place when I am, and I completely agree with him that we need to continue to listen to people. We need to show people the utmost respect, which I certainly always try to do, and I know that he does, too. My colleagues on the Whips’ Bench are delighted to hear that he considers them to be his friends. I am always very grateful to hear his thoughts on these issues.

Mr Speaker: Well, they will be pleased to know they have some.

Mrs Kemi Badenoch (Saffron Walden) (Con): I thank my right hon. Friend for her very gracious statement and I am pleased that the apology given by my right hon. Friend the Member for Great Yarmouth (Brandon Lewis) has been accepted by Liberal Democrat Members. As someone who was on maternity leave when the general election was called last year, this issue is very close to my heart. It did make me seriously consider whether this is something that I could do with a six-month-old baby. However, given the over 2,000 successful pairs that we have had in this Parliament, does the Leader of the House agree that we should not dismiss the entire pairing system because of one mistake?

Andrea Leadsom: Yes, my hon. Friend is exactly right. Without wishing to be hostile to anyone, there have been a number of broken pairs, which are always carefully looked at on both sides of the House. It is very difficult. As I say, a pair is not usually for a lengthy period of time. It can be for one vote because a Member has to go somewhere or is not back from somewhere. It is actually a very complex system. Errors do happen. Yesterday was an error and my hon. Friend is exactly right to say that we should not ditch the whole system because of the odd few errors here and there.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): The Leader of the House should not underestimate the damage done by what happened yesterday. I urge her to look very closely, if she has not already, at the comments on social media. I have certainly received representations from my constituents today who are appalled by what happened in this House. We should be setting the example, not falling short of it. The public will have heard the apology from the Leader of the House, but why are the Chief Whip and her right hon. Friend the Member for Great Yarmouth (Brandon Lewis) not here to listen to this urgent question—[HON. MEMBERS: “He is here!”]

My apologies, but equally, the sentiment of that apology will be diminished by the Chief Whip’s absence.

Andrea Leadsom: My right hon. Friend the Member for Great Yarmouth is indeed here. When he and I spoke last night about this subject, he was very upset to hear about this problem. He was unaware. He was absolutely blameless in this, and he has apologised to the hon. Member for East Dunbartonshire. He is here, so I hope that the hon. Lady recognises that. As for my right hon. Friend the Chief Whip, his deputy is here and he has apologised on behalf of the Whips Office, where the administrative error took place.

Jeremy Quin (Horsham) (Con): Clearly, there was a mistake last night. Happily, it did not affect the result of any Division. It is a mistake that cannot be repeated. Will my right hon. Friend reiterate to the House that anyone who is on maternity leave and requires a pair will get one?

Andrea Leadsom: Yes, I absolutely confirm that to the House. It was an undertaking given by the Government Whips Office and it remains in place. As I mentioned in my answer to the urgent question, if a Member wishes to come in for a particular vote, they can do so and then the pairing can be resumed straight after that vote.

Christine Jardine (Edinburgh West) (LD): As the Leader of the House will no doubt be aware, we had a lengthy debate on proxy voting, supported by all parties in the House, in which there was near unanimous support for it going ahead. In those circumstances, can we not have the debate on Monday and then refine the process, for which there is already support, over the summer, after which it could be agreed?

Andrea Leadsom: I was delighted to take part in the debate to which the hon. Lady refers. It was a very good debate. As I recall, there were about 10 or 11 contributors, but those contributions did not necessarily look at some of the broader issues around, for example, the unintended consequences of one person on parental leave deciding to take a pair and another to proxy vote, thereby potentially leading to misunderstanding among constituents. Such issues would be very personal to the individual. It is important that the House discusses these matters and draws a conclusion with the benefit of a proper debate.

Gareth Johnson (Dartford) (Con): My understanding is that a number of agreed pairings in place for yesterday’s Divisions were adhered to completely. Would the Leader of the House agree that, regardless of whether we end up with a form of proxy voting, we should not allow
one error to cloud our judgment of the effectiveness of the pairing system, no matter how regrettable that error may have been?

Andrea Leadsom: My hon. Friend is quite right. We have had about 2,000 pairs in this Parliament. Some have been broken, owing to administrative errors, but nevertheless it remains a good means by which Members can take either urgent or unexpected absences and not have their votes just omitted from the overall Division result.

Patrick Grady (Glasgow North) (SNP): As a Whip, I like to think I have friends on both sides of the House. I suspect that a lot of people watching are finding out for the first time what the pairing system is. The lack of transparency is important. A proxy system, whether by a smile emoji or whatever, would allow for much greater transparency, scrutiny and understanding, and it would not just benefit Members who are new parents. Not only proxy voting but fixed decision times and electronic voting would help to end this farce of taking so much time walking through the Lobbies.

Andrea Leadsom: The hon. Gentleman will be aware that the issues of how we vote are looked at periodically, and I am always keen to consider the well-known views of him and his colleagues on electronic voting. Generally speaking, the House tends not to agree; its view tends to be that the way we vote currently is the right way. It also tends to consider that the pairing system is effective and useful, and offers the flexibility that all Members want.

Tom Pursglove (Corby) (Con): Is my right hon. Friend aware of any systems in place in Parliaments around the world from which lessons could be learned? I tend to agree that there are intricacies involved in all this. For example, we are very conscious that we have independent Members. How would this work for them?

Andrea Leadsom: My hon. Friend raises important questions that would be part of the debate. Professor Sarah Childs, in “The Good Parliament” report, looked at other legislatures, as I am sure you are aware, Mr Speaker, and found that most—six in total—of the surveyed Parliaments had formal House leave arrangements, those being either general leave provisions or more specific maternity, paternity and parental leave provisions. Three did not but relied on informal party arrangements—Canada, Scotland and Wales. A single Parliament—Sweden—matched the country-level provision for all employees. So they do differ, but he is absolutely right to raise the importance of considering how other legislatures handle this situation.

Emma Reynolds (Wolverhampton North East) (Lab): Let’s be as good as Sweden, shall we? Depriving the hon. Member for East Dunbartonshire (Jo Swinson), who was at home taking care of her three-week-old baby, of a pair last night was disgraceful, but depriving her of the opportunity to represent her constituents was unacceptable. I was on so-called maternity leave last year, and was hauled in several times, sometimes late at night, when my baby was only five months old, so pairing is not enough. I was not able to represent my constituents in that time. This is not complicated; it is simple. Will the Leader of the House commit that in September, when we have this debate, it will be on a votable motion and that if it is passed we will proceed to introduce the proxy voting arrangement as soon as possible?

Andrea Leadsom: I am told by the deputy Chief Whip that in fact the hon. Lady’s pair was not broken by the Government at any time, so if she came into the House, that was her choice. It is important to make that point, given the accusations around. The Government have been very clear that we will honour pairs for baby leave. On the hon. Lady’s other point, as I said it is important that we debate some of these issues by way of a consultation in this place. As she will have heard, having sat through this urgent question, there are different, important and opposing views, so it is important that we have a proper debate.

Kevin Foster (Torbay) (Con): Obviously, none of us would see dragging someone who is terminally ill or heavily pregnant through the building as the best way for a modern Parliament to operate, but neither would any of us want to see Divisions like those in the New Zealand House of Representatives, which basically involve the Chief Whip of the relevant party holding up a hand and exercising a block vote on behalf of all their Members. Does the Leader of the House agree that it will never be possible to offer an exhaustive list of each situation in which a pair could be considered, and that even if a proxy system came in, the pairing system would still need to exist?

Andrea Leadsom: My hon. Friend is quite right. The Procedure Committee report proposed that hon. Members taking baby leave should be able to choose between proxy voting and a pair, even from vote to vote, so the complexity would obviously increase; nevertheless it is important that we have choice and flexibility.

Helen Goodman (Bishop Auckland) (Lab): The Chair of the Procedure Committee will attest to the fact that I have been a proxy voting sceptic—until yesterday. Does the Leader of the House share my disappointment, Member for Great Yarmouth (Brandon Lewis) has done for proxy voting what the hon. Member for Christchurch (Sir Christopher Chope) did for the private Members’ Bills process?

Andrea Leadsom: The hon. Lady is being extremely unfair to my right hon. Friend the Member for Great Yarmouth. It is absolutely clear that he was unaware that he was breaking a pair. It was an administrative error.

Nigel Huddleston (Mid Worcestershire) (Con): Does the Leader of the House share my disappointment, from talking to potential parliamentary candidates, at just how many of them are put off standing for Parliament altogether because of the widely held perception that this place is inconsistent with family life or even the aspiration to a family life? How many potential fantastic MPs have we lost on both sides of the Chamber because of that reputation? Can she assure me that she will do everything she can to make sure that this place becomes friendly for anybody who wants to stand for Parliament, no matter what their stage in life?

Andrea Leadsom: My hon. Friend raises a really important point. We need many more people to come forward, particularly women, and to be compatible with good, solid family life, it is vital that we look at how we manage things in this House and improve on it.
Melanie Onn (Great Grimsby) (Lab): In her statement, the Leader of the House told us that 2,000 pairs had been arranged without error until last night, but I note that since then, in her responses, she has backtracked slightly to ease herself through this discussion. People will take from that what they will, but given the closeness of the votes on Brexit this week, which I think has driven this so-called administrative error, the simplest way forward would be for her to adopt the good and thorough work of the Procedure Committee and put its recommendations to a vote. She says that she is supportive, so why is she trying to wriggle out of this?

Andrea Leadsom: The hon. Lady is wrong on two counts. I said that the pairing system had worked well overall. As I have made clear, there have been more than 2,000 pairs in this Parliament and several have been broken because of errors. The vast majority were broken by Opposition Members, although I do not want to be at all partisan over this. It is a complex administrative system and errors have occurred. She makes a good point about the importance of bringing in new processes, but the Procedure Committee did not set out a prescription; it raised a number of issues that the House would need to decide on, such as, for example, what business should be proxy votable—all business, just Government business, business Monday to Thursday, closure motions of the House, private Members’ Bills on Fridays? These are the questions that the Procedure Committee rightly raised and the reasons why the House needs to debate this further.

James Heappey (Wells) (Con): I echo the enthusiasm expressed by colleagues across the House for a look at our voting processes and how we might make them more family-friendly. In the meantime, does my right hon. Friend agree that the pairing system can be transparent? Those who are paired can say that they are paired and with whom they are paired, as, indeed, the hon. Member for East Dunbartonshire (Jo Swinson) did yesterday on social media.

Andrea Leadsom: My hon. Friend is right. Let me reiterate the undertaking by the Government Whips Office to provide even greater process, so that individuals who are paired will be specifically told the duration of the pair and with whom they are paired. I think that that will also reduce the number of errors. I can only say again that what has happened is extremely regrettable, and that the Whips are very apologetic about the error.

Ellie Reeves (Lewisham West and Penge) (Lab): As a former employment rights lawyer specialising in maternity discrimination and flexible working, I have been shocked by some of the outdated practices in this place. While I am grateful to you, Mr Speaker, for relaxing the rules to allow my son to go through the voting Lobby with me, it really is time that we became a modern 21st-century workplace. Given that many Members have recently given birth or are currently pregnant, I echo the calls for an urgent vote on proxy voting before the summer recess, before it is too late.

Andrea Leadsom: The hon. Lady says that she is an employment lawyer, in which case she will know very well that Members of Parliament are not employees but office holders. It would be a very fundamental review that would say that MPs should become employees. The hon. Lady would have to consider by whom they would be employed, and the subsequent taking on of modern employment regulations. She has not been clear about what she is after, but I am absolutely clear about the fact that we will be debating this issue. We want to provide proper baby leave for new parents, but the hon. Lady cannot possibly suggest that we should become employees in order to do so.

Jess Phillips (Birmingham, Yardley) (Lab): I have a quick question for the Leader of the House. I wonder how many times Members, mainly on her own side, raised with her, prior to the proposal for baby leave, the need for a new system for sick Members of Parliament. It seems to me that they have all become incredibly committed to such a system, in what I would call “whataboutery”, since the suggestion about parental leave. Did anyone ever raise the issue with her before?

Andrea Leadsom: Yes, a good number of people. For example, my hon. Friend the Member for Dudley South (Mike Wood), the Parliamentary Private Secretary, was absent for a considerable length of time with a very serious life-threatening illness. For as long as this Parliament has sat, there has been the need to provide pairing for people who are extremely ill suddenly, and the issue of how best to manage those processes has always been raised. The suggestion that baby leave is a unique problem for the House is simply not true: there are clearly other issues that Members want to raise in the debate.

Alison Thewliss (Glasgow Central) (SNP): Mary Beard has said:

“You can’t easily fit women into a structure that is already coded as male; you have to change the structure.”

Pairing is such a structure. It is not transparent, and, in fact, it seeks to disenfranchise two MPs rather than enfranchising one. Will the Leader of the House bring the Procedure Committee’s report to the House before the recess, so that we can vote on it and stop pregnant women being disenfranchised?

Andrea Leadsom: Let me say again that I am absolutely committed to ensuring that women will be able to spend time with their new babies, and the fathers, including in cases of adoption. It is vital that they are able to do so. I have made it extremely clear that I will arrange for a debate during the September sitting, and we can then make fast progress.

Tulip Siddiq (Hampstead and Kilburn) (Lab): This morning, as chair of the all-party parliamentary group on child care and early education, I hosted a lobby consisting of more than 100 nursery and childcare providers. They spoke to me at great length about the challenges that new parents face when they go back to their workplaces, and about maternity discrimination. Does the Leader of the House think that we, here in the House, have the moral legitimacy to lecture those in other workplaces about maternity discrimination and unfair practices when our Government have cheated a pregnant woman out of her vote in the most underhand manner?

Andrea Leadsom: I fundamentally disagree with the hon. Lady’s assessment, but I absolutely agree with the nursery workers whom she mentioned about the vital
importance of women being treated fairly. What she is seeking to do is simply to politicise this issue, at a time when the Government have made it absolutely clear that there are guaranteed pairs for anyone on baby leave and that what happened yesterday was an error.

Thelma Walker (Colne Valley) (Lab): The Conservative party appears to have an issue with women. That has been made clear by the sexting scandal and the fact that only a third of the Cabinet are women, and now the chairman of the party has broken with parliamentary protocol and betrayed a new mum. The Leader of the House promised that pairing would take place when she withdrew the previous debate. How can we be sure that the Government will keep their word on anything now?

Andrea Leadsom: We are on our second female Prime Minister. In case the hon. Lady had not noticed, the Leader of the House of Commons is female. In case the hon. Lady had not noticed, the Leader of the House of Lords is female. What is very clear to those on this side of the House is that it is her party that has a problem with women.

Space Policy

2.26 pm

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): With permission, Mr Speaker, I will make a statement on a key development in UK space policy.

As a result of announcements made this week, the United Kingdom will, for the first time ever, be able to launch satellites from its own soil. This is a development that the whole House should welcome and celebrate. The space sector is changing globally, and at a pace never seen since the race to the moon. It is allowing us to answer questions about ourselves and the universe that curious minds have debated for centuries, but it has also seen the development of technologies that are transforming our day-to-day life here on Earth. For example, the technology that was developed to provide clean air on the International Space Station is now being used to control the spread of superbugs in hospitals across the world.

The UK is well placed to be at the forefront of developments in space, and the Government are determined that we will take advantage of the vast opportunities that are available to us as a country. That is why I met the new NASA administrator, Jim Bridenstine, today to discuss UK-US collaboration. As we all know, NASA is the biggest space agency in the world, with budgets in excess of $10 billion a year. We discussed how to extend and deepen the opportunities for our two countries to collaborate, especially in relation to the hugely ambitious vision for exploration set out by President Trump.

It is nearly 50 years since man landed on the moon, and since then we have been no further. Questions remain about whether or not we are alone in the universe. The UK has been at the forefront of robotic exploration to address that question. Indeed, our space industry built the Mars Rover, which will be launched in 2020, and I am very excited that later this week I shall be able to announce a competition related to that mission. We want to continue to be at the forefront of the next human exploration missions, working alongside NASA and the European Space Agency, but space is also a fundamental part of our economic future. The UK space sector is growing. It is worth about £13.7 billion to the economy according to current estimates, and it employs more than 38,000 people across the country.

As is set out in the Government’s industrial strategy, we are working with industry to increase the UK’s share of the global space market from 6.5% to 10% by 2030. The sector has grown at an average of more than 8% every year over the last decade, and three times faster than the average sector over the last five years. Space is a growth sector not only in its own right but as part of our “critical national infrastructure”, underpinning all other key industrial sectors including agritech, automotive, aerospace, maritime and energy. Our space sector is one of the most innovative in the world. It is a world leader in small satellite technology, telecommunications, robotics and Earth observation. For example, we build 25% of the world’s telecommunication satellites and our universities are some of the best in the world for space science.

This week the UK has seized an opportunity to capture a share of the emerging global market for small satellite launch. The Government are working to create
the capability and conditions for commercial spaceflight to thrive in the UK. The Government’s industrial strategy includes support for a £50 million programme to kick-start small satellite launch and sub-orbital flight from UK spaceports. Funding will be used to support the first launches from the UK and to deliver a programme of work to realise benefits across the country.

The Government have made announcements this week which underpin our commitment to the sector. A £2.5 million grant has been announced for a vertical spaceport site in Sutherland, on the north coast of Scotland. That the first ever satellite launch from the UK could be from Scottish soil highlights our commitment to the Union. With the support of £29 million of industrial strategy funding, Lockheed Martin and Orbex will be the first companies to set up operations in Sutherland, delivering capable commercial and globally competitive small satellite launch services. Not only does the UK have the technical skills and capability, we have the geography. We are seeing the biggest growth in the sector in small satellites, which are typically launched into polar orbits. This makes the position of the UK a very favourable launch site.

But it is not just about vertical launch capability. The Secretary of State for Business, Energy and Industrial Strategy also announced a £2 million fund to help horizontal spaceports to progress their plans from our £50 million industrial strategy fund for the UK spaceflight programme. Separately, Newquay airport, Cornwall and Virgin Orbit have signed a memorandum of understanding this week, which is an important and positive milestone towards establishing a leading horizontal commercial launch provider at a UK spaceport. We cannot underestimate the scale of the opportunity here, from entering new markets such as space tourism to transforming our intercontinental travel. The Government are providing support not only through funding, but by putting in place the right regulatory framework to enable commercial success.

I am pleased that the Government are not alone in recognising this opportunity. Up and down the country, ambitious local authorities and private investors are coming together to help build our space capability. The rapid growth at the Goonhilly site in Cornwall is further evidence of the excitement in the sector. As technology evolves and reduces the cost of access to space, there is an exciting opportunity for the UK to thrive in the commercial space age. A sector deal for space aims to build on our global leadership in satellites and applications using space data to create a hub in the UK for new commercial space services. Following the sector’s publication of its “Prosperity from Space” proposal in May, we intend to work with it to explore how a sector deal can drive forward the Government’s industrial strategy. We are also developing world class facilities, including the National Space Propulsion Facility in Westcott and the National Satellite Test Facility in Harwell, as well as business incubators in more than 20 locations to support British start-ups hoping to grow into successful space companies.

The whole of the Government recognise the strategic importance of space and the immense economic opportunities it can bring. In a week where the focus of this House has been on the process of withdrawal from the EU, it is important to recognise that space is an area where we are leading new international partnerships. This is nowhere better evidenced than our international partnerships programme delivering tele-education and tele-medicine, which provides the backbone of future economic growth. One programme alone reached 17,000 students in Kenya with a 95% improvement in learning outcomes.

The Government are determined that UK companies are at the forefront of this space revolution, and our economy and the people of this country all benefit. I commend the statement to the House.

2.34 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I thank the Minister for advance sight of the statement.

We welcome this investment in the UK space sector. The global space economy, currently valued at about £160 billion, is estimated to be worth £400 billion by 2030. The UK should be leading the way. But why has it taken the Minister so long to come to the House with an announcement that was briefed to the papers three days ago? I hope he does not see the sector as merely a means to positive headlines for a beleaguered Government.

I have characterised Government policy in this area as “lost in space”. While this announcement is a step forward, it certainly does not mean it’s coming home. The Minister is right to talk about the inspirational nature of space and its down to earth economic benefits. At this morning’s Foundation for Science and Technology roundtable, which I attended, NASA’s chief technologist was able to set out the spin-offs from its programme. I look forward to a UK Minister being able to do the same. However, while the Government’s industrial strategy promised £1 billion in space technology investment over four years, this week’s announcement amounts to much less than that. So I ask the Minister: when will the Government announce the release of further funds for space? Will that be impacted by the £5 billion cost of his Galileo replacement? When will the space sector deal be published?

The thriving industry that we all want to see requires a strong regulatory framework and engagement with industry, yet the Space Industry Act 2018, passed earlier this year, is but a skeleton. When will the secondary legislation be in place to provide the regulatory certainty the industry needs? In addition, drones can affect the launch of spacecraft, but they are not covered under the Act. When will the Government bring forward the promised legislation to deal with them?

As Lord Heseltine made clear in his response to the Government’s industrial strategy, the European Space Agency is a great example of proactive industrial intervention by British Government at European level. This Government could learn a lot. Four fifths of Government investment in space is made through the agency, but the Government’s chaotic Brexit is endangering public and private investment, with Airbus announcing in April that it would relocate work on a €200 million ESA contract from Portsmouth to the continent. What assurance is the Minister taking that the UK continues to play a leading role in the ESA post Brexit? How will we maintain space sector supply chains, and the exchange of space scientists and engineers on which they depend?

The proposed Sutherland spaceport will be the northernmost operational spaceport in the world. As a Newcastle MP, I am all for going north. However, spaceports are overwhelmingly sited near the equator.
where the Earth’s rotational speed is highest, allowing rockets to harness an additional natural boost. Does funding take into account the potential extra costs associated, and were factors taken into consideration when choosing the location far from the equator, although close to Tory marginals?

As the Minister said, the entire country should benefit from the amazing opportunities posed by space. What steps is the Government taking to ensure the fair regional distribution of space sector supply chains, creating good jobs across the country and ensuring that those jobs should be open to all in a diverse and inclusive space sector?

Mr Gyimah: I thank the Opposition spokesperson for recognising and welcoming the good news this week.

The announcement was made at Farnborough, but my statement demonstrates that there is far more going on in the Government’s space policy than that specific announcement: deeper collaboration with NASA in the US; collaboration with the European Space Agency; investment in our capacity at Harwell; and a space sector deal. So this statement goes far beyond what was announced at Farnborough earlier this week, and it is all good news that I think the House will welcome and, hopefully, celebrate.

On the European Space Agency and our role in Europe, the hon. Lady will know that the ESA is not an EU institution; it is independent of the EU and we are, and will continue to be, a leading member. We see the ESA as key to our strategy for international collaboration—and it is worth recognising that the fact it has “European” in its name does not make it an EU institution, as was suggested.

All the announcements made today are in addition to what we will do with regard to Galileo. We have made it clear in our EU negotiations that our first preference would be to continue to participate in all elements of the Galileo system; that would include the security and sensitive parts of the system, but it should also include UK industry’s being able to participate in it. Were that not forthcoming, we have the option of building our own satellite system. The UK is a proud and independent country, and as a lot of the know-how and skills for the Galileo system is from UK-based companies, I am confident that we could build our own. To that end, the Prime Minister has set up a taskforce to look at the feasibility of doing so, and once that information is available it will be made public to the House and more widely.

On why the first space launch in the UK will be in Scotland and not near the equator, I can reassure Members that equator launches tend to be large satellites to geostationary orbit, but the growth we are talking about here is in small satellites and these tend to be polar. That is why we are ideally located as a country to take advantage of that emerging technology.

This is a huge opportunity for this country, and we are determined that all of the UK should benefit. Not only Scotland, but Cornwall and Snowdonia have the potential to benefit, and the announcements this week will allow market development in all of these areas. The private sector will of course ultimately carry this forward, and there is nothing to stop local authorities working with the private sector to capture the benefits of this huge development for our economy.

Mr Gyimah: My hon. Friend is absolutely right. Were the UK not to continue to participate in the Galileo programme, not only would the programme be delayed but it would cost EU member states a lot more. Surrey Satellite Technology has been responsible for the cryptography and encryption of the Galileo system, and CGI UK, which has a presence in Surrey, has been responsible for building a number of the satellites. So the expertise and skills necessary to deliver the Galileo system reside in the UK, and were the EU to adopt what I consider to be an irrational position and not allow the UK to fully participate, we would not only take the action we need to take to protect critical national infrastructure, but we would also be at liberty to partner with other countries around the world, not only to develop our own global navigation and satellite system but to develop our space sector.  

Carol Monaghan (Glasgow North West) (SNP): As a physics teacher, this news is extremely welcome to me. When the Scottish schools go back in approximately three weeks, no doubt the teachers will be telling the pupils about the spaceport that will be in Scotland.

As a teacher I never imagined we would have such a facility in Scotland, but I never wrote it off as “science fiction” as a certain Tory MSP did last summer. I have the privilege of visiting Kennedy space centre and the economic and educational opportunities are immense; I hope we will see similar at the A’ Mhòine site.

But space also drives innovation that is critical for other sectors. At present Scotland is home to 18% of the UK’s space sector jobs. It has a thriving satellite industry, Glasgow and Strathclyde universities are training the future space physicists and engineers, and the Scottish physics curriculum has been tailored towards space. So I say to the Minister that this is not about the ambition of a certain US President or commitment to the Union: it is about the fact that the A’ Mhòine peninsula in Sutherland is perfectly placed both in terms of its geographical position for vertical launches, because very few places allow that to take place, and in terms of the educational and manufacturing environment I have described.

There are, however, other spaceports around the UK that could support horizontal launch. What specific steps is the Minister taking with these sites to ensure that the ambition is not isolated, and that many can benefit? What recent conversations has the Minister


Crispin Blunt (Reigate) (Con): I congratulate my hon. Friend on this extremely welcome statement. As a fellow Surrey MP, he will be only too aware of the importance of the space industry to our county and of the astonishing success of the work in our county for the country. Will he confirm that if the EU remains determined on this astonishing act of self-harm as regards the development of the Galileo project, it will have to bear the long-term costs of the loss of all the British enterprise and expertise in this area, and that we will be free of the immensely bureaucratic allocation of jobs under this European programme, as is reflected in European defence and other space programmes as well? Once we are free to put our expertise within the international alliances where we can get the best possible return on our scientific expertise, so much the better, and in the long term it will be our 27 partners who bear the cost of this astonishing decision.

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had with the ESA regarding the exclusion of UK companies from Galileo? They need the answers to that now. Finally, may I ask the Minister for an update on the liability cap? Unless that cap is in place, Clyde-built satellites will still be launched elsewhere.

Mr Gyimah: It is highly unusual to get welcoming remarks from the Scottish National party, and I am tempted to just bank them and sit down.

We are very aware that Prestwick is home to innovative launch companies like Orbital Access and is close to Glasgow’s world-leading small satellite industry, and that Snowdonia is a leading site for remotely piloted vehicles and autonomous testing. We want all of the UK to benefit from this huge technological development. That is why we announced additional grants this week, so that they can bid for them to develop the market in their area and make a success of space.

Mark Pritchard (The Wrekin) (Con): On Galileo and a possible replacement satellite system, is it not in the EU’s security interests as well as our own national security interests for the EU to continue to work together collaboratively with UK industry, and in particular the space sector?

Mr Gyimah: My hon. Friend puts his finger on why the situation with Galileo is so hugely frustrating. Only about two months ago we worked very closely with the French Government on military strikes in Syria, so the idea that the UK somehow cannot be trusted on sensitive security matters is totally for the birds. Our future participation, if we were to participate, is dependent on our ability to independently ensure the integrity of the system, so that we can rely on it for strategic defence and security uses. That is why the UK has put forward its red lines, but I agree that there is huge benefit in mutual co-operation and the Commission would do well to take the rational position that that is in our mutual security interests.

Liz Kendall (Leicester West) (Lab): Leicester is a world leader in space research and engineering, working with NASA and partners across the world. Our new space park will create 3,000 jobs—I hope the Minister will visit us one day. He says he is frustrated with the EU’s reaction on Galileo, but I have heard nothing practical from him about what he will do to protect the Airbus jobs directly related to Galileo in Leicester and to ensure the free movement of EU scientists and researchers, who are so vital to this critical industry of the future.

Mr Gyimah: I am very aware of Leicester’s leading position in space research and science research, and I am looking forward to visiting the university shortly to discuss some of these matters. In terms of what the Government are doing specifically with Galileo, I am in close contact with all the UK companies involved in the programme, and a taskforce is looking at the feasibility of building our own satellite system. That would obviously deliver contracts for UK-based companies. There is also the space sector deal that we are bringing forward shortly, alongside huge investment in research and development, all of which could benefit the UK companies that have huge expertise in this area. So I hope I can reassure the hon. Lady that we are not sitting down and taking this lightly.

Vicky Ford (Chelmsford) (Con): A lot of the UK has a hosepipe ban at the moment, but in Chelmsford, Teledyne e2v is inventing a gravity sensor that will go on a small satellite and be able to look at water reserves underneath the earth. This is the future. When will we be able to launch small satellites from the UK?

Mr Gyimah: I expect that to be possible from the early 2020s, given the huge and historic announcement today.

Several hon. Members rose—

Mr Speaker: Order. I am not knowledgeable about these important matters, but if my memory serves me, the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) is concerned principally with the vertical, rather than the horizontal.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Indeed I am, Mr Speaker. I welcome the announcement that the spaceport will be in my constituency. [Hon. Members: “Hear, hear!”] I am gratified that so many Members have come into the Chamber to hear me ask this question. [Laughter.] On behalf of my constituents, I thank the UK Government for making this decision. Jobs do not exactly grow on trees in my constituency, and this will be, to coin a phrase, a boost to the local economy. It means that quality jobs will take off.

I have three questions. First, will Orbex and Lockheed Martin be encouraged to start employing local people, and perhaps apprentices, as soon as possible? Secondly, there is great potential for putting satellites into orbit on behalf of other countries that do not have such facilities. The UK could make a lot of money out of that. Will the Minister assure me that Her Majesty’s Government will flex every sinew to get this business? Finally, Viscount Thurso chairs VisitScotland, and there is enormous on-land tourism potential involved in this project. Will Her Majesty’s Government please work closely with VisitScotland to ensure that visitors come to my constituency to see the first rocket taking off?

Mr Gyimah: I am very pleased that Sutherland is getting a big blast from this announcement. Apprentices are already employed by the companies involved in this, and we will do everything we can to work with the local authority to make this a commercial success.

Chris Skidmore (Kingswood) (Con): I welcome my hon. Friend’s statement on this matter. As part of the new space sector deal, will he recognise the importance of research and development, particularly in materials technology? With that in mind, may I extend an invitation to him as Science Minister to come to the National Composites Centre and the Bristol and Bath Science Park to see the excellent work that is being done there in this regard?

Mr Gyimah: I would be delighted to accept that invitation. I agree with my hon. Friend that wider research and development is critical to success in space. That is why this Government have increased R&D spending more than any previous Government have done.
Stephen Morgan (Portsmouth South) (Lab): We have heard reports that the space industry has developed proposals for a sector deal, but may I press the Minister to confirm when that sector deal will be agreed and published?

Mr Gyimah: Very shortly.

Michelle Donelan (Chippenham) (Con): I welcome today’s statement. This really is an exciting time for the UK’s space sector. Will my hon. Friend tell me what else the Government are doing to benefit the space industry, as this will be of particular interest to my constituents who work at the Corsham Airbus site?

Mr Gyimah: There is a huge amount of investment. I have mentioned the space sector deal and other investment in R&D that companies across the country with the expertise to benefit our space sector could do well out of.

Alex Sobel (Leeds North West) (Lab/Co-op): More than 50% of UK satellite exports go into the European single market. How will the Taxation (Cross-border Trade) Bill and the Trade Bill, both of which we discussed this week, affect the free-flowing movement of components into and out of the single market?

Mr Gyimah: I have been speaking to lots of companies in the UK that deal in the satellite market. It is a global market, and there are huge global opportunities, including in the EU. The sector will continue to succeed, even when we leave the EU.

Tom Pursglove (Corby) (Con): What benefit does my hon. Friend believe this sector will bring to the UK economy in the decades ahead? Does he believe that there will be direct benefits for our existing industrial supply chains, such as the steel industry?

Mr Gyimah: The space sector, in addition to being part of our critical national infrastructure, underpins our value in the economy to the tune of £250 billion. This is not just about pushing the frontiers of human knowledge; it is also about creating jobs and helping to power our economy forward. That is why this investment announcement is so important.

Patrick Grady (Glasgow North) (SNP): I have a feeling that we are about to witness some rocket launches long before anything takes off from a site in Sutherland. Given the contribution that Glasgow makes to the space industry—more satellites are manufactured there than anywhere else in Europe, and pioneering research takes place in the space institute at the University of Glasgow in my constituency—what discussions will the Minister be having with university space institutes to ensure that they can access funding as a result of today’s announcement and that they are fully involved as this project moves forward?

Mr Gyimah: I am planning a trip to Scotland before the end of this month, and I will be discussing exactly those sorts of things with the universities.

Personal Statement

2.56 pm

Boris Johnson (Uxbridge and South Ruislip) (Con): Thank you, Mr Speaker, for granting me this opportunity, first to pay tribute to the men and women of the Foreign and Commonwealth Office, who have done an outstanding job over the last two years. I am very proud that we have rallied the world against Russia’s barbaric use of chemical weapons, with an unprecedented 28 countries joining together to expel 153 spies in protest at what happened in Salisbury. We have rejuvenated the Commonwealth with a superb summit that saw Zimbabwe back on the path to membership and Angola now wanting to join. As I leave, we are leading global campaigns against the illegal wildlife trade in favour of 12 years of quality education for every girl, and we have the Union flag going up in nine new missions in the Pacific, the Caribbean and Africa, with more to come. We have overtaken France to boast the biggest diplomatic network of any European country.

None of this would have been possible without the support of my right hon. Friend. Friend the Prime Minister. Everyone who has worked with her will recognise her courage and resilience, and it was my privilege to collaborate with her in promoting global Britain, a vision for this country that she set out with great clarity at Lancaster House on 17 January last year: a country eager, as she said, not just to do a bold, ambitious and comprehensive free trade agreement with the EU, out of the customs union and out of the single market, but to do new free trade deals around the world. I thought that was the right vision then; I think so today.

But in the 18 months that have followed, it is as though a fog of self-doubt has descended. Even though our friends and partners liked the Lancaster House vision—it was what they were expecting from an ambitious partner, what they understood—and even though the commentators and the markets liked it—the pound soared, as my right hon. Friend the Chancellor will have observed—we never actually turned that vision into a negotiating position in Brussels. We never made it into a negotiating offer. Instead, we dithered. We burned through our negotiating capital. We agreed to hand over a £40 billion exit fee with no discussion of our future economic relationship, we accepted the jurisdiction of the European Court over key aspects of the withdrawal agreement and, worst of all, we allowed the question of the Northern Irish border, which had hitherto been assumed on all sides to be readily soluble, to become so politically charged as to dominate the debate—

[Interruption.]

Mr Speaker: Order. The statement by the right hon. Gentleman must be heard, and by long-standing convention, it is heard with courtesy and without heckling.

Boris Johnson: I am grateful, Mr Speaker. No one on either side of this House or anywhere wants a hard border. We could not construct one if we tried. However, there certainly can be different rules north and south of the border to reflect the fact that there are two different jurisdictions. In fact, there already are. There can be checks away from the border and technical solutions, as the Prime Minister rightly described.
at Mansion House, and, in fact, there already are. However, when I and other colleagues—I single out my right hon. Friend the Member for Haltemprice and Howden (Mr Davis)—proposed further technical solutions to make customs and regulatory checks remotely, those proposals were never even properly examined, as if such solutions had become intellectually undesirable in the context of the argument. After the December joint report, whose backstop arrangement we were all told was entirely provisional and never to be invoked, it somehow became taboo even to discuss technical fixes.

After 18 months of stealthy retreat, we have come from the bright certainties of Lancaster House to the Chequers agreement. We can compare them side by side. Lancaster House said that laws will once again be made in Westminster. Chequers says that there will be “ongoing harmonisation” with the common EU rulebook. Lancaster House said that it would be wrong to comply with EU rules and regulations

“without having a vote on what those rules and regulations are.”

Chequers now makes us rules takers. Lancaster House said that we do not want anything that leaves us half-in, half-out... We do not seek to hold on to bits of membership as we leave.”

Chequers says that we will remain in lockstep on goods and agri-foods and much more besides, with disputes ultimately adjudicated by the European Court of Justice.

Far from making laws in Westminster, there are large sectors in which Ministers will have no power to initiate, innovate or even deviate. After decades in which UK Ministers have gone to Brussels and expostulated against costly EU regulation, we are now claiming that we must accept every jot and tittle for our economic health—with no say of our own and no way of protecting our businesses and entrepreneurs from rules that may be not in their interests. My right hon. Friend Chancellor was asked to identify the biggest single opportunity from Brexit. After some thought, he said “regulatory innovation.” Well, there may be some regulatory innovation post Brexit but, alas, it will not be coming from the UK, and certainly not in those areas. We are volunteering for economic vassalage, not just in goods and agri-foods, but we will be forced to match EU arrangements on the environment, social affairs and much else besides. Of course, we all want high standards, but I say to my hon. Friends that it is hard to see how the Conservative Government of the 1980s could have done their vital supply-side reforms with those freedoms taken away.

The result of accepting the EU’s rulebook, and of our proposal for a fantastical Heath Robinson customs arrangement, is that we have much less scope to do free trade deals, which the Chequers paper actually acknowledges and which we should all acknowledge. If we pretend otherwise, we continue to make the fatal mistake of underestimating the intelligence of the public, saying one thing to the EU about what we are really doing and saying another thing to the electorate. Given that in important ways this is BINO or Brino or “Brexit in name only”, I am of course unable to support it, as I said in the Cabinet session at Chequers, and I am happy to be able to speak out against it now.

It is not too late to save Brexit. We have time in the negotiations. We have changed tack once, and we can change again. The problem is not that we failed to make the case for a free trade agreement of the kind spelt out at Lancaster House—we have not even tried. We must try now, because we will not get another chance to get this right. It is absolute nonsense to imagine, as I fear some of my colleagues do, that we can somehow afford to make a botched treaty now, and then break and reset the bone later on. We have seen even in these talks how the supposedly provisional becomes eternal.

We have the time, I believe the PM has the support of Parliament—remember the enthusiasm for Lancaster House and for Mansion House—and it was clear last night that there is no majority for going back to the customs union. With good will and common sense, we can address concerns about the Northern Irish border and all other borders. We have fully two and a half years to make the technical preparations, along with the preparations for a World Trade Organisation outcome, which we should now accelerate. We should not and need not be stumped by anyone, but let us explicitly aim once again for the glorious vision of Lancaster House: a strong, independent, self-governing Britain that is genuinely open to the world, not the miserable permanent limbo of Chequers and not the democratic disaster of “ongoing harmonisation” with no way out and no say for the UK.

We need to take one decision now before all others, and that is to believe in this country and in what it can do, because the UK’s admirers—there are millions if not billions of them across the world—are fully expecting us to do what we said, to take back control, to be able to set new standards for technologies in which we excel, to behave not as rules takers but as great independent actors on the world stage, and to do proper free trade deals for the benefit and prosperity of the British people. That was the vision of Brexit that we fought for, that was the vision that the Prime Minister rightly described last year and that is the prize that is still attainable. There is time, and if the Prime Minister can fix that vision before us once again, I believe that she can deliver a great Brexit for Britain with a positive, self-confident approach that will unite this party, unite this House and unite the country as well.
Points of Order

3.8 pm

Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. I am seeking your advice and help in getting a clear understanding of the circumstances in which a Member can seek parliamentary time to make a statement and the circumstances in which that would be granted. You will agree that it is rare for a Member to make a personal statement explaining their resignation, just as it is rare for a Member securing the services of a photographer to record for posterity the signing of their resignation letter at a remarkably empty desk. Would it have been in order, for instance, for a Member or Minister to have sought to make a personal statement to apologise for endangering a British citizen detained abroad, to apologise for repeating financial claims about NHS funding that had been comprehensively demolished by an independent, respected, authoritative body, or to explain what involvement they had in a campaign that has been heavily fined for breaking electoral rules—

Mr Speaker: Order. The right hon. Gentleman will resume his seat. I indulged him and allowed him to develop his thinking.

Andrew Bridgen (North West Leicestershire) (Con): Too much.

Mr Speaker: Well, maybe I erred on the side of generosity. I will treat of the point in more detail, because it is of importance to the House, but let me say two things to the right hon. Member for Carshalton and Wallington (Tom Brake).

The right hon. Gentleman, the former Foreign Secretary, was absolutely in order to request that he be allowed to make a personal statement, and utterly in order also in its delivery. Secondly—forgive me, colleagues, but it is important for the authority of the House that this point be made—I, too, was absolutely right to allow him to make that personal statement, and it would have been quite wrong for me to seek to stand in his way.

Good order has applied but, in so far as the right hon. Member for Carshalton and Wallington is interested not in point scoring, as I am sure he is not, but in asking a genuine question of the Chair, let me say to him on the point of procedure that it is the long-standing practice of the House that Members may make a personal statement with the leave of the Speaker. It is not especially common in recent times for such requests to be made, but when they are made, it is right that they should be acceded to by the Chair.

Moreover, I note that the former Foreign Secretary, former Leader of the House and former Deputy Prime Minister, the late Sir Geoffrey Howe, resigned on 1 November 1990—I remember it well—and delivered a personal statement on 13 November 1990, so nothing disorderly, nothing irregular and, in procedural terms, nothing objectionable has occurred. I thank the right hon. Member for Carshalton and Wallington, and it was perfectly legitimate for him to raise the point of order, but I think it right that I leave it there.

Mark Pritchard (The Wrekin) (Con): Further to that point of order, Mr Speaker.

Mr Speaker: I will be generous to the hon. Gentleman, because to stray would be to misbehave, and I do not think he would misbehave. I cannot believe he would.

Mark Pritchard: Mr Speaker, you are always generous. You will know there are very clear rules in this House on the issue of sub judice. I seek your guidance on whether that applies to British citizens abroad who are currently going through what I think is a bogus judicial system in Iran. I mention that because the right hon. Member for Carshalton and Wallington (Tom Brake) suggested the former Foreign Secretary had endangered the life of a British citizen, and you will know that the family of that person are rightly very worried about her fate. It is not the right hon. Gentleman’s place to make party political capital when somebody is facing a bogus judicial system in Iran.

Mr Speaker: I thank the hon. Gentleman for his point of order, and I respect the sincerity with which he speaks and the extensive interest he takes in international affairs. What I would say to him, in all seriousness, is that the responsibility of the Chair for oversight of the sub judice rule applies in the context of cases in the British courts. I am satisfied that nothing disorderly or threatening to a British judicial process has transpired.

In so far as the hon. Gentleman wanted to make a wider point, I think he knows that he has succeeded in doing so.

Fiona Onasanya (Peterborough) (Lab): On a point of order, Mr Speaker.

Mr Speaker: I think it is on an unrelated matter, and I will take a point of order on an unrelated matter.

Fiona Onasanya: Mr Speaker, I would be grateful for your guidance. I have written to the Prime Minister regarding a constituent of mine who fell afoul of the undercover policing inquiry. I wrote to her on 20 March setting out that, on 12 March 2016, when she was Home Secretary, she established an inquiry into undercover policing. I have not had the courtesy of a reply, and I do not know whether there is anything you can do or any way you can direct me on how to get a response to my letter.

Mr Speaker: Historically, it has often been effective for Members who have not received a reply, either to a written question or to a letter, to complain about that fact on the Floor of the House. On many such occasions, a reply has then winged its way to the complaining hon. Member with remarkable rapidity.

That was the experience of the late Member of Parliament for Manchester, Gorton. Sir Gerald Kaufman was much given to raising on a point of order the fact that he had not received a reply to a question or a letter, and he would sometimes table a written question asking a Minister when they intended to get round to responding to his question. I was advised by Sir Gerald that that practice was, more often than not, successful. There is a notable lineage here, and the hon. Lady is following in the footsteps of one of her illustrious parliamentary predecessors. If she is still unsuccessful, I have a feeling, knowing her—she is not shy—that she will beat a path to my door to seek counsel on how further to proceed.
BILL PRESENTED

COUNSELLORS AND PSYCHOTHERAPISTS (REGULATION) AND CONVERSION THERAPY BILL

Presentation and First Reading (Standing Order No. 57)

Geraint Davies, supported by Mr Nigel Evans, Caroline Lucas, Norman Lamb, Mr Ben Bradshaw, Catherine West, Ged Killen, Jo Stevens, Tonia Antoniazzi, Dr Paul Williams, Daniel Zeichner and Thelma Walker, presented a Bill to provide that the Health and Care Professions Council be the regulatory body for counsellors and psychotherapists; to prohibit conversion therapy; to make related provision for the protection of children and adults; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 252).

Access to Welfare
(Terminal Illness Definition)

Motion for leave to bring in a Bill (Standing Order No. 23)

3.16 pm

Mrs Madeleine Moon (Bridgend) (Lab): I beg to move,

That leave be given to bring in a Bill to amend the definition of terminal illness in the Welfare Reform Act 2012; and for connected purposes.

I declare an interest as the chair of the all-party parliamentary group on motor neurone disease. My husband, my brother-in-law and my mother-in-law all died from motor neurone disease.

Today I am placing an emphasis on motor neurone disease, but there are other conditions that equally apply, and those conditions will be explored on Second Reading. The current definition of “terminally ill” is: “the person suffers from a progressive disease and the person’s death in consequence of that disease can reasonably be expected within 6 months”.

A prognosis of six months or less to live is needed for a clinician to issue a DS1500, which allows claimants to apply for benefits under the special rules for terminal illness. The special rules enable access to disability benefits quickly by fast-tracking applications to the highest level of benefits payments, which is an issue of paramount importance for people with limited time to live. Some 3,618,000 people claim the personal independence payment, with only 3%, or 109,000, claiming under the special rules process.

My Bill recognises that the six-month eligibility criteria to access the DS1500 are far too restrictive. Department for Work and Pensions figures show that, as of April 2018, there were 1,565 PIP claims from people with motor neurone disease, and only 650, or around 42% of them, had claimed via the special rules.

As parliamentarians, we have all met terminally ill people who have failed to access benefits via the standard process: people under immense emotional and physical stress; people coming to terms with their terminal illness diagnosis; people having to navigate their way through the burdensome and time-consuming benefits process, facing distress, anxiety and fear, which will increase with the roll-out of universal credit. A person who does not qualify under the six-month special rules faces the prospect of having to attend an interview with a work coach to discuss their aspirations for work, and having to sign up to a claimant commitment, which is highly inappropriate for an individual who will never return to work.

Our current assessment process is capability driven: “Can you walk? Make a cup of tea? Put your socks on?” This results in high scores for those with physically identifiable limitations such as a spinal injury, but it does not recognise an unpredictable, progressive, degenerative condition for which no treatment is available to mitigate the progression of the disease. The change I propose will, only for the terminally ill, provide access to benefits driven by a clinical diagnosis.

The current six-month definition of terminal illness is problematic for unpredictable conditions such as MND. A third of people with MND die within a year of diagnosis and half will die within two years. Identifying
those who are likely to die quickly and those who will live longer is very difficult—indeed, it is impossible. Allowing medical professionals to determine whether an illness is terminal would give terminally ill people the chance to access the benefits they need quickly and with dignity.

Earlier this year, the all-party group took evidence from James Douglas, who was diagnosed with MND just before his 30th birthday. He had recently moved into a new home with his partner and very young son, but he was then told he would not see his 32nd birthday. James was struggling at work and was forced to reduce his hours, and the financial implications for his family were crushing. He went through the arduous process of claiming PIP and was awarded zero points in every category of his claim—weeks later he was given a DS1500 by his consultant.

Martin Burnell also has MND. He described to MPs how he received zero points in his universal credit assessment and was told to seek work, despite struggling to walk, breathe and talk. A DS1500 came from his consultant, despite his GP telling him it could be accessed only by people with cancer—that is an all too common belief. The Department for Work and Pensions recently wrote to Martin asking whether he wanted to retrain and learn a new skill.

Those are not isolated cases, and far too many people with terminal conditions have had to endure an incredibly stressful time accessing benefits. People with terminal conditions should not suffer the anxiety of completing lengthy details about capability or attend face-to-face assessments when a clinical judgment can show they are terminally ill. The current definition of “terminal illness” has created variation in how it is interpreted and discrepancies in doctors’ willingness to submit a DS1500 for people with terminal conditions. Some interpret the definition broadly, whereas others feel that the current criteria restrict their ability to support special rules applications. The change proposed is modest, but it has the potential to help many. It is shocking that terminally ill people and their doctors have at times been challenged by assessors on whether a claimant has six months to live or not. Astonishingly, 13 out of 21 health care professionals who gave evidence to the all-party group said that assessors had contacted them to question the validity of the DS1500.

This Bill seeks to reflect the changes to the definition of “terminal illness” recently announced in Scotland; there has been agreement on removing the time limit of having a life expectancy of six months or less in order for someone to be considered “terminal”. Instead, the clinical judgment of a registered medical practitioner will determine whether a person is terminally ill. When there are no effective disease-mitigating treatments, and disease is progressing rapidly, death becomes inevitable. Doctors know they cannot certify with accuracy “death within six months”, and such a time statement is cruel to the patient and their family, who are struggling to come to terms with the illness and with dying.

By allowing a clinical judgment to determine whether an individual has a diagnosed condition that has no further treatment available and will lead to death. Both the chief medical officer and the chief nursing officer in Scotland have reviewed and fully support the amendment in Scotland as the best way to achieve timely support for those with a terminal illness.

This Bill will create parity with Scotland, generate consistency across the UK and reflect society’s recognition that our benefits system should support, not challenge or interrogate, the terminally ill. The Bill will reflect the recommendations of the independent review of PIP in Northern Ireland, which supported the changes to how terminal illness should be defined. There is support for this from the medical community; 30 leading neurologists have called on the Government to emulate the changes in Scotland. Dr Nik Sharma, a consultant neurologist at the National Hospital for Neurology and Neurosurgery, told the all-party group that despite his years as a specialist treating people with MND, he cannot predict its progression or the life expectancy of people with the disease. Other specialists have told me that it is difficult to predict when someone has six months left to live with cancer, and it is close to impossible with unpredictable conditions such as heart disease and chronic obstructive pulmonary disease.

We have consulted widely. I have worked closely with the Motor Neurone Disease Association, Marie Curie and the Royal College of General Practitioners. I have sought the views of the chief medical officer and the chief nursing officer for England. Palliative care specialists have agreed to liaise in helping to produce guidance on a definition ahead of Second Reading. In Scotland, these changes received cross-party support, and we have that same support here.

Before coming into this House, I spent many years helping terminally ill people claim benefits. I cared for my husband Steve, and can attest to the mental and emotional chaos of dealing with a terminal illness. The unknown time you have must not be spent worrying about accessing benefits or keeping a roof over your head; it must be spent in love, laughter, and taking the painful journey together with dignity and compassion. It is time for this Government and this Parliament to support and ease this journey.

Question put and agreed to.

Ordered.

That Mrs Madeleine Moon, Dr Sarah Wollaston, Frank Field, Norman Lamb, Dr Philippa Whitford, Ian Paisley, Mark Tami, Peter Aldous, Stephen Twigg, Chris Evans, Hywel Williams and Lady Hermon present the Bill.

Mrs Madeleine Moon accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 23 November, and to be printed (Bill 253).

Mr Deputy Speaker (Sir Lindsay Hoyle): I now have to announce the results of today’s seven deferred Divisions. The first six relate to draft European Union (Definition of Treaties) orders. In respect of the first Question relating to Armenia, the Ayes were 533 and the Noes were 3, so the Ayes have it. In respect of the second Question, relating to Central America, the Ayes were 534 and the Noes were 3, so the Ayes have it. In respect of the third Question relating to Cuba, the Ayes were 534 and the Noes were 3, so the Ayes have it. In respect
of the fourth Question relating to Canada, the Ayes were 534 and the Noes were 3, so the Ayes have it. In respect of the fifth Question relating to Australia, the Ayes were 536 and the Noes were 3, so the Ayes have it. Finally, in respect of the Question relating to Immigration (Provision of Physical Data) the Ayes were 311 and the Noes were 262, so the Ayes have it.

[The Division lists are published at the end of today’s debates.]

DOMESTIC GAS AND ELECTRICITY (TARIFF CAP) BILL (PROGRAMME) (NO.3)

Motion made, and Question put forthwith (Standing Order No. 83A(7))

That the following provisions shall apply to the Domestic Gas and Electricity (Tariﬀ Cap) Bill for the purpose of supplementing the Orders of 6 March 2018 (Domestic Gas and Electricity (Tariﬀ Cap) Bill: Programme) and 30 April 2018 (Domestic Gas and Electricity (Tariﬀ Cap) Bill: Programme (No. 2)):

Consideration of Lords Amendment

1. Proceedings on consideration of Lords Amendment shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement at today’s sitting.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any Question being put.

3. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(Claire Perry.)

Question agreed to.

Domestic Gas and Electricity (Tariﬀ Cap) Bill

Consideration of Lords amendment.

After Clause 8

ONGOING RELATIVE TARIFF DIFFERENTIAL

3.30 pm

The Minister for Energy and Clean Growth (Claire Perry): I beg to move, That this House disagrees with Lords amendment 1.

Mr Deputy Speaker (Sir Lindsay Hoyle): With this it will be convenient to take Government amendment (a) in lieu of Lords amendment 1.

Claire Perry: As Members will know, the Bill has received very broad and strong cross-party support during its passage through this House. I thank all of those who have spoken, who have worked behind the scenes, who have lobbied and who have voted for a very important piece of legislation. I repeat my thanks to the hon. Member for Leeds West (Rachel Reeves), who is not in her place, for her excellent stewardship of the Business, Energy and Industrial Strategy Committee, which contains Members from all parties, and for her continued support on the Bill. The Committee did some excellent work during the Bill’s pre-legislative scrutiny.

I also extend my thanks to the hon. Member for Southampton, Test (Dr Whitehead) and the Labour Front-Bench team for their extremely constructive approach to this Bill and for helping us to develop an amendment that we will come on to debate in a moment.

First, we must consider the amendment that was made in the other place about what will be done to protect consumers when the price cap comes to an end. That is an extremely important question. As the Government have made clear, the price cap is a temporary intervention to protect consumers on standard variable and default tariffs while other reforms continue apace to bring about the conditions for effective competition in the retail market. I understand the concerns, which have been raised by Members from all parts of the House and by Members in the other place, that there is a risk that some features of the market may remain that will need to be addressed. For instance, as the energy market is reformed, it is absolutely vital that the protection of vulnerable customers in this market is kept under review, and action taken if necessary to afford those customers the protections they need.

There are also concerns about the possible return of practices such as tease and squeeze, which is essentially enticing people onto cheap fixed tariff deals only to move them on to higher tariff deals when the fixed period ends. I agree wholeheartedly that we must seek to end those practices. However, introducing a requirement such as the Lords amendment seeks to do, which essentially commits us to an indefinite price cap, is not the appropriate solution. Instead, the Government propose amendment (a) in lieu of the Lords amendment, which will ensure that Ofgem must conduct a review before the end of the price-cap period into the pricing practices of suppliers and, in particular, identify whether there are categories
of customers who are currently paying, or who may in future be at risk of paying, excessive charges for standard variable and default tariffs.

In reviewing the practices of suppliers and identifying whether consumers are paying excessive charges, the regulator must consider whether there are consumers who will be excessively negatively affected when they move from fixed rates to standard variable tariffs—the tease and squeeze problem—and also whether vulnerable customers continue to require protection. If it is the regulator’s view that protections are indeed required, the amendment says that necessary steps must be taken to provide those protections, using a broad set of existing powers under the Gas Act 1986 and the Electricity Act 1989.

It is the Government’s view that amendment (a) therefore futureproofs something that we all care so strongly about in this place—the protection of consumers from excessive charges, particularly on SVT and default rate tariffs—and rightly provides in the Bill the necessary impetus and discretion to the regulator to consider the most appropriate response to those excessive tariffs under its existing powers.

Stephen Kerr (Stirling) (Con): Let me speak in relation to the amendment in lieu, which says: “customers who appear to the Authority”—

that is Ofgem—

“to be vulnerable by reason of their financial or other circumstances are in need of protection.”

How will the data be made available for anyone to be able to make that assessment, because, currently, there is a restriction in the availability of that data to pinpoint the help that is necessary?

Claire Perry: I pay tribute to my hon. Friend’s work as a member of the Business, Energy and Industrial Strategy Committee and his doughty championing of consumers. He will be aware that the Government have taken through another piece of legislation, which was required to ensure that the regulator can work with Government datasets in order accurately to pinpoint vulnerable customers. I am sure that the whole House will be pleased to know that if that legislation has not yet received Royal Assent, it will do imminently. I look to my officials to ensure that that is the case.

Mr Jim Cunningham (Coventry South) (Lab): Perhaps I misunderstood the Minister, but will Ofgem carry out a review constantly, or will it be a one-off review with a time limit?

Claire Perry: I can reassure the hon. Gentleman that the original provisions in the Bill give Ofgem very broad powers, from the date on which the Bill receives Royal Assent, to implement the cap and then to review it as often as Ofgem feels is necessary. When the cap is operating, it can be reviewed many times. We have instructed Ofgem to conduct a review when the cap ends to ensure that the groups of customers identified can be helped. My understanding is that there is nothing in Ofgem’s existing powers that will prohibit it from doing the same thing in future. The regulator was in the past given extremely broad powers under the gas and electricity Acts, and it would be within its discretion to carry out such reviews. However, across all parties we felt it was important to put on the face of this Bill, which is the first piece of legislation to introduce these sorts of tariff caps and to empower further the regulator to use its powers, the requirement to carry out the initial review.

Ian Murray (Edinburgh South) (Lab): On the same theme, what powers does the regulator currently have to ensure that energy companies are not artificially inflating prices ahead of the Bill coming into force?

Claire Perry: The hon. Gentleman refers to the regrettable series of price increases that we have seen from all the major, big six energy companies. Prices will of course go up because, as the hon. Gentleman will know, the wholesale price of gas in particular doubled—I believe; I will make sure the record is correct—in the last six months. The regulator can always define price rises as excessive, but the point of this very welcome cap is that those who are particularly vulnerable and who are on standard variable and default tariffs—often people who are elderly, perhaps less well-educated and furthest from the digital market, in which we all compete to switch—will be protected without having to switch. Indeed, the work that Ofgem is currently undertaking to ensure that the cap is set at a fair level will be vital to making sure that those protections come forward.

Amendment (a) will ensure that the legacy of the Bill, of which we should be extremely proud, is not undone by a return to business as usual by those suppliers that have thought up or carry out additional practices, such as tease and squeeze. I thank Members of this House, including Members from the Opposition Front-Bench team, for helping to create the amendment, which we believe is the most appropriate response to the concerns raised by members in this House and in the other place. I am delighted to see my hon. Friend the Member for Weston-super-Mare (John Penrose) nodding during my speech. Along with the right hon. Member for Don Valley (Caroline Flint) and others, he has been vital in driving this issue up to the top of the Government’s agenda and making sure that we get the Bill and this amendment right. I offer huge thanks to my hon. Friend and the others who have been involved.

James Heappey (Wells) (Con): Will the Minister confirm that while the Bill has had to take this unexpected second lap of this place, Ofgem has been hard at work on its preparations for enacting what is likely to be in the Bill when it is passed? Will she join me in advising any energy companies that are considering legal action on its preparations for enacting what is likely to be in the Bill when it is passed? Will she join me in advising any energy companies that are considering legal action on its preparations for enacting what is likely to be in the Bill when it is passed?

Claire Perry: I offer huge thanks to my hon. Friend for that intervention, because it enables me to say four things. First, I am grateful to the noble Members of the other House, because legislation is always better when it is scrutinised carefully. I think amendment 1 is helpful, so I am not unhappy to have the chance to talk about it.

Secondly, the new chair of Ofgem, Martin Cave, who will shortly take up his post, is a brilliant campaigner in support of the idea that customers should benefit from this regulated energy market. Indeed, I think he proposed the original idea of a tariff price cap. His appointment
We introduced legislation recently to reduce that threshold and ensure that more companies can offer them to customers.

Thirdly, I reassure my hon. Friend that I have come to the House from a meeting with Ofgem, at which we discussed its progress on the price cap. That is well under way, and Ofgem has an extremely good team working on it. Ofgem has already published various technical papers setting out the methodology behind the cap calculation, and it intends to publish in full the details of that in very short order. That will give everybody a chance to scrutinise the cap and make sure that there is nothing untoward.

Fourthly, I wrote to the chairmen of the big six—I think they are all men—last week setting out that the Government would take an extremely dim view of companies that sought to frustrate the introduction of the cap, for which we have all worked so hard, by some sort of legal challenge; and that instead they should work with Government in this exciting time in the energy markets and look to their own activities to see how they can drive down costs, and drive up efficiency and customer service.

Rebecca Pow (Taunton Deane) (Con): On that note, does the Minister believe that the Bill will narrow down competition, and thereby affect prices, or increase it? Competition is generally viewed as good for a market, because one tends to get lower prices as companies try to attract customers.

Claire Perry: I strongly believe in competitive, well-regulated free markets. Indeed, in this market there are now more than 60 energy suppliers, all bidding for our business. I have recently switched again to a company that appears to be offering a very good green tariff. However, the problem, and the reason for the Bill, is that there is a very large group of customers who are sticky—who stay on expensive standard variable and disbenefit of £1.3 billion is created by current pricing practices, how much of that is saved and passed on to consumers will depend on all sorts of things, including changes in the wholesale market and the efficiency of companies. I can reassure him, though, that the absolute price cap that was brought in to protect customers on pre-payment meters and those classified as vulnerable has led to savings of about £60 per household since it was introduced. Of course, prices go up, but customers are still better off than they would have been. Our expectation is that both overall and per household, consumers will see bills lower than they would otherwise have been.

Claire Perry: My hon. Friend uses his great experience in this area to point to this being two halves of an equation in making sure, first, that energy is going into a property at the lowest possible price, and secondly, that consumption is as low as can be.

James Heappey: With ECO now at over £600 million, we are targeting that entirely at fuel poverty. The consultation has closed and we have the responses to come out. There is the whole challenge of getting energy efficiency levels up so that, overall, households are more energy-efficient. I am looking at the hon. Member for Neath (Christina Rees) on the Opposition Front Bench. I very much enjoyed a visit to her constituency to see an energy-positive home. That is an incredible innovation funded by her local excellent councillors, looking at how to design homes that return energy to the grid and are cool and lovely to live in. That is the kind of technology and innovation that we want to see.

I hope the House agrees that amendment (a) is the most appropriate response to the concerns that have been raised, and that it will be welcomed by Members in this place and the other place. I hope that we will be able to move swiftly on this issue and keep our remarkable outbreak of cross-party consensus going, because I think the Bill is an absolutely vital piece of legislation.

John Redwood (Wokingham) (Con): Can the Minister give us some indication of the kind of saving we that we could expect from the managed market, as a result of the amendment, compared with where we are at the moment?

Claire Perry: I do not know whether my right hon. Friend is referring to the per-household saving. We have been quite careful not to talk about that, because although we can understand that a total maximum excessive disbenefit of £1.3 billion is created by current pricing practices, how much of that is saved and passed on to consumers will depend on all sorts of things, including changes in the wholesale market and the efficiency of companies. I can reassure him, though, that the absolute price cap that was brought in to protect customers on pre-payment meters and those classified as vulnerable has led to savings of about £60 per household since it was introduced. Of course, prices go up, but customers are still better off than they would have been. Our expectation is that both overall and per household, consumers will see bills lower than they would otherwise have been.

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I hope that we can all agree on this amendment, send it up to be agreed in the other place, and get on and pass the Bill before this place rises, because the regulator has told us that it will need up to five months to calculate the mechanism. It is absolutely vital, as my hon. Friend the Member for Wells (James Heappey) said, that that
mechanism is absolutely watertight so that energy companies do not seek to frustrate further the introduction of this measure. We want it in place by the end of this year so that people can start saving on their energy bills this winter.

Dr Alan Whitehead (Southampton, Test) (Lab): Labour Members are delighted that the Bill to institute an absolute price cap on energy costs is about to pass into law, mechanisms notwithstanding, this afternoon. We are delighted because of the parentage of the Bill, which emanates from the Labour Benches. If hon. Members are worried about the authenticity of the parentage, I can produce a birth certificate: the motion that was debated in this Chamber on a Wednesday afternoon, at exactly this time, on 6 November 2013. It said:

“That this House calls on the Government to freeze electricity and gas prices for 20 months whilst legislation is introduced to ring-fence the generation businesses of the vertically integrated energy companies from their supply businesses, to require all electricity generators and suppliers to trade their power via an open exchange, to establish a tough new regulator with the power to force energy suppliers to pass on price cuts when wholesale costs fall, and to put all over-75-year-olds on the cheapest tariff.”

That motion was in the name of my right hon. Friend the Member for Don Valley (Caroline Flint). When it was debated that afternoon, it did not, I have to say, receive a terribly positive response from the Government of the day.

James Heappey: How times have changed.

Dr Whitehead: Indeed.

Five and a half years later, we are almost there. I hope that the procedures on the market issues that we have discussed during the Bill’s progress ensure that while there is a price cap those issues are addressed so that we can, as the mechanism in the Bill suggests, come out of the price cap with market conditions resolved in a much better way for customers. Indeed, just as was suggested in that motion, the Bill provides for a procedure to declare the market in place, at which time the cap is ended. That could be about 20 months or perhaps three years, but nevertheless there is a mechanism for that.

What happens at the end of cap conditions is important, and that is what the amendments that have come from the other place at the end of the Bill process deal with, rather than the principle of the absolute cap—the central principle of the Bill—which, I am delighted to say, was received in the other place as warmly as in this House. On termination of the cap, the Lords amendment would put in place a relative tariff differential that would limit the price range between the highest and lowest tariff a company can charge—the so-called “tease and squeeze” problem that the Minister mentioned. That would be not within the absolute cap but part of the return to market conditions that would nevertheless shape how the market subsequently works for the benefit of customers.

I am delighted that the Government have responded positively in the shape of their amendment in lieu, which I am pleased to say the Opposition not only were given sight of but had the opportunity to work on in detail, to ensure that between us we had a resolution to the outstanding issue from the other place. We can endorse the amendment and recommend that their lordships consider it a worthy response to the message we received.

The amendment is slightly different, using an Ofgem mechanism to bring about a solution to tariff ratios, but from the amendment’s drafting I am confident that Ofgem would receive the message in no uncertain terms of how it should use its powers, should the report it is required to write before termination of the cap comes about demonstrate a continuing problem in tariff differentials.

The Bill has always had more than a tinge of Labour parentage to it and now its offspring has further elements of Labour input, which I, for one, very much welcome. It is now a Bill that all sides can agree does the right thing on energy prices and how the market works. That signal of unity from all sections of the House sends an important message to all those affected by the legislation—that this is a serious piece of work, which will work, and that we are all determined to make it happen. If the Bill can pass back to the other place for its final procedures on that basis, that will strengthen considerably the efforts that we are embarking on to ensure that prices are maintained in the interests of customers over the next period through the freeze mechanism.

I thank the Minister very much for the constructive and open way in which she has conducted discussions on the Bill hitherto, and I at least note in distinguished messages the input of the hon. Member for Weston-super-Mare (John Penrose), and of course my right hon. Friend the Member for Don Valley, who I mentioned at the beginning of my comments, whose role in the Bill’s parentage should be not underestimated at all; indeed, it should be written up in dispatches.

John Penrose (Weston-super-Mare) (Con): We are nearly there. With fingers firmly crossed, it looks as though this is the last, or last but one, trot around the track for the Bill before it goes off for Royal Assent. I echo the thanks that have come from all sides for the combined and cross-party efforts to get us here. The fact that everyone is rushing to claim a degree of authorship shows the truth of the old saying that success has many parents, whereas failure is an orphan. Thankfully, this is not a failure.

I was extremely concerned by the Lords amendment as it came to us before the amendment in lieu was tabled. That was not because I disagreed with the principle of a relative cap—in fact, I spoke strongly in favour of relative caps at earlier stages—but because, in trying to install a relative cap, their lordships had made it an open-ended intervention in this market. For people like me—perhaps more on the Conservative side of the House—who are avowed free marketeers, a temporary intervention is very important. An open-ended commitment would create a great deal of unease among many of us, on the grounds that the opportunity for regulatory meddling would be extremely strong, and that the temptation would prove too hard to resist over time.

I am therefore delighted to see the proposed amendment in lieu. Not only does it not add any fresh powers—it asks Ofgem to use its existing powers, giving it a firm and direct mandate from this House that those powers should be used—but it refocuses the Bill. I for one—I do not think I am alone in this—had become a little bit concerned that the Bill had gone a little off track or off topic in its passage through Parliament.

The Bill was proposed in the first place in response to an underlying mischief or immorality—that of “tease and squeeze” behaviour. People could start off on a
razor-keen introductory tariff and then, without taking any firm decisions, they might find that when the tariff came to an end after one or two years, they had in a surreptitious way become liable for a sky-high default. That would happen without their saying yes to anything, because of the tease and squeeze tactics, particularly of the big six. The central behaviour, which is deeply embedded in this market, of taking advantage of people's loyalty and inertia—their stickiness, as my right hon. Friend the Minister said—was gripping everybody and making them feel that customers were being taken advantage of. That was why the Bill was first conceived, and why it rightly garnered so much support throughout the House.

The amendment in lieu brings us back to that central point. It reminds us why we are here and, most importantly, it means that Ofgem will no longer have an excuse to look the other way. We all want this temporary price cap, when it comes to an end, not to be needed anymore because the market—the big six in particular, but also the market as a whole—will have learned the error of its ways and will stop behaving in the way that has gripped everybody, so that there is no need for further interventions. However, I do not think I am alone in being a little bit cynical and saying that that might not happen, even with all the other interventions and reforms that Ofgem is rightly introducing to try to sharpen competition, improve consumer choice, and both improve the behaviour of suppliers and help us as customers to use our freedoms more actively.

It is just possible that, even after all the changes introduced by Ofgem during the period of the cap, the market is not yet properly reformed. We are all here because Ofgem has in the past refused to use the powers it has. I have had conversations with senior people in Ofgem, as I am sure have many others in the Chamber, asking, “Why don’t you get on with it? Why don’t you use these powers? You’re being weak-willed, and you are pathetically—like wet lettuces—not doing what you are there for. What’s the point of having an economic regulator if you aren’t going to stick up for people who are vulnerable and people who are being taken advantage of?” We all got fed up with arguing that it should do so, and it would not do so, and that was why the Bill came into being. The amendment in lieu should solve that and it would not do so, and that was why the Bill came into being. The amendment in lieu brings us back to that central point. It reminds us why we are here and, most importantly, it means that Ofgem will no longer have an excuse to look the other way. We all want this temporary price cap, when it comes to an end, not to be needed anymore because the market—the big six in particular, but also the market as a whole—will have learned the error of its ways and will stop behaving in the way that has gripped everybody, so that there is no need for further interventions. However, I do not think I am alone in being a little bit cynical and saying that that might not happen, even with all the other interventions and reforms that Ofgem is rightly introducing to try to sharpen competition, improve consumer choice, and both improve the behaviour of suppliers and help us as customers to use our freedoms more actively.

We all hope that those powers are not needed, and that the reforms designed to sharpen competition mean that they will never be needed, but the amendment in lieu means that they can be used in the future. With any luck, as with a good nuclear deterrent, no one will ever have to press the button, but my goodness me, they will know that they are there. That is the crucial point. With that, I welcome the amendment in lieu. I hope that the message goes out loud and clear to Ofgem that we will not put up with its being weak-willed in the future. It is up to Ofgem to ensure that this market functions properly, not just during the temporary period of the cap, but on an ongoing basis in the future. With any luck, after that none of us will ever have to worry about the energy market’s mispricing again.

Stephen Kerr: I join others in paying tribute to the work done by my right hon. Friend the Minister in leading the Bill through the House. I also pay tribute to the Opposition spokesman, the hon. Member for Southampton, Test (Dr Whitehead), and to my hon. Friend the Member for Weston-super-Mare (John Penrose). There has also been mention of the right hon. Member for Don Valley (Caroline Flint). I agree with much—indeed everything—of what I have heard, including from the Scottish National party spokesman, which is always noteworthy, as I think he would agree.

I want to take this opportunity to comment on the nature of the marketplace because, as my hon. Friend the Member for Weston-super-Mare rightly mentioned, this is a marketplace where consumers are punished, or at least treated as suckers, by the companies they are loyal to, and that surely cannot be allowed. I am therefore
proud to stand in support of this Bill, and to see it progress quickly from this place to the other place and, very quickly after that, into law. A lot of significant issues have been discussed as the Bill has made progress through pre-scrutiny, Committee and back to the Floor of the House.

I genuinely cannot understand the justification for the Lords amendment. I agree with the hon. Member for Kilmarnock and Loudoun (Alan Brown). The idea that we could legislate in a temporary Bill for an energy market in 2023 seems to me to be quite absurd. Sitting here today, we have no idea what the energy market will even look like in 2023-24. Perhaps the noble Lords have a crystal ball that allows them foresight that we do not enjoy in this House, but somehow I doubt that they do. With the rate of change in the market being what it is, we can comfortably expect that, when we get to the sunset year, 2023-24, the landscape will be much changed from what it is today.

While we have debated many issues on the Bill, I would disappoint the Minister if I did not mention smart meters, as a sideline. I know that the Bill is a temporary measure to fix the energy market, which is badly broken, but it also gives consumers control. It should also give them the right to see how their energy usage is affected by their choice of appliance and how they use their appliances. One way we will do that is through the roll-out of smart meters. I support that but continue to have what I hope are felt to be genuine concerns about the nature of the roll-out and how it is being conducted.

The SMETS1 meters are a poor substitute for the real thing. We have not heard recently how many SMETS2 meters are installed and connected to the Data Communications Company but, bearing in mind the £11 billion cost and that this is a vital part of our national infrastructure for the energy networks of the future, I feel that it is appropriate to mention in passing that we need a stronger handle on where the SMETS2 programme is, its cost and all the issues surrounding it.

James Heappey: I very much agree with my hon. Friend. Rushing into the deployment of SMETS2 meters before the technology has been properly proven and the Data Communications Company is fully up and running might lead to a collapse in consumer confidence in smart meters generally, which would have an adverse effect on the smart programme.

Stephen Kerr: I agree, and that is why it is important to discuss the real-time issues surrounding the SMETS2 meter and the future smart meter network, which is so important to the future of our energy market.

In conclusion, at the heart of this issue is the need for lower energy prices, and helping consumers to understand how much energy they are using and how they can save money by changing supplier. I look forward to the day when through an app, or rather, with one click, it will be possible for consumers to make smart choices painlessly. If we do this right—and I think we are—this tariff cap measure can fall away in 2023 without causing any problem, and more consumers will be engaged and able to make the right decisions for their households. We will also be able to see the energy companies properly competing and creating the competitive market that the Bill seeks to create.

James Heappey: What a joy it is to be in this Chamber when consensus abounds, after a couple of days of tearing strips off one other. It is really rather nice to be in here, all agreeing. That has rather characterised the progress of the Bill throughout its time in this place and in the Bill Committee, on which I had the privilege to serve. I think it is right that we seek to remove the amendment that the Lords have sent back, but I am glad that a compromise has been agreed between the two Front-Bench teams and I think that the amendment in lieu that we have proposed is very sensible.

Since the Bill has been delayed by this extra lap in Parliament, I think it is worth while to rehearse the arguments once again. The price cap is only a part of the challenge, so I want to add a few other things to the exhortation from my hon. Friend the Member for Stirling (Stephen Kerr) about smart meters. The Government must push on with those very urgently, because the savings from them will be far greater than the savings that we will achieve for our constituents from this Bill.

First, on decentralised generation, putting storage in behind the meter and aggregated demand-side response, I know that the Minister is looking at what comes after feed-in tariffs when they start to run out next year. I hope that she can see merit in finding a mechanism to replace them that really unlocks the market for people who want to install generation in their homes or businesses, storage, demand response and the capacity that comes from electric vehicles.

Secondly, I hope that we can send a strong signal to industry and the regulator over the delivery of heat as a service. Heat as a service is a huge opportunity for energy efficiency to become the responsibility of the supplier, not out of obligation, but because it sees an opportunity to make bigger margins by providing energy more cheaply and efficiently. If we can make that happen, we will secure huge savings for consumers. Thirdly, as we replace the green deal, let us allow storage to be a part of this so that again people can find savings. Fourthly, on replacing the ECO, the consultation has been completed and responses have been had, and I know that plenty of tech companies have made representations for smart thermostats and other clean tech to be included within the ECO catalogue. Let us make that the case.

We have put in an awful lot of time, in this place, the other place and in Committee, to deliver a saving to our constituents of around £100. That is not to be sniffed at, but we can prove to an awful lot of people that an enduring price cap is not the answer by getting all sorts of other things right at the same time. Energy efficiency, storage, the flexibility of demand response and decentralised generation have the potential to slash bills to a fraction of what they currently are. Let us not let this price cap distract us from the real prize, which is huge savings for our constituents from clean tech.

Rebecca Pow: I welcome the Bill, as it places consumers at its heart. That is really what we are talking about. In particular, I welcome the amendment in lieu, which is a tweak but a valuable tweak that makes the Bill really work. I also reiterate what my hon. Friend the Member for Wells (James Heappey) said. How wonderful it is to have unity in the Chamber after these last few days. It is welcome and a lovely feeling.

Alex Chalk (Cheltenham) (Con): It’s quite unsettling.
Rebecca Pow: Quite unsettling, yes.

I believe that pressing for an absolute cap over a relative one is the right way to go. As the Business, Energy and Industrial Strategy Select Committee stated, a relative cap could force cheaper energy tariffs to disappear, harming consumers, not protecting them. That would run counter to the sentiment of the Bill. As we have heard, Ofgem will be given the task of making the cap work effectively with its formula and will be responsible for setting the cap and reviewing it every six months. As outlined by my hon. Friend the Member for Weston-super-Mare (John Penrose), it is beholden on Ofgem to get this right and hold people to account, otherwise it will not have been worth while. It is vital that energy companies do not take advantage of any price cap and lift their tariffs to the maximum allowed. As I mentioned earlier, the energy sector needs more price competition to encourage lower prices, and an absolute cap can help to achieve this.

I am delighted that the Government will require the Gas and Electricity Markets Authority to protect consumers beyond the end of the energy price cap. Energy companies must not slip back into their old habits as soon as the cap is lifted, putting ordinary people back in the position they were in before the cap and leaving them paying over the odds. The Bill will ensure better value for money for many people who, frankly, have been taken for a ride and been paying over the odds for the self same energy that the person down the road has been getting cheaper.

As the Minister stated, it cannot be fair that between 2012 and 2015 customers paid £1.4 billion more than they ought to have done. In 2016, this escalated to an incredible £2 billion. As I have said before, many of these people fall into the “vulnerable” category. Many are elderly. My constituency and wider Somerset have a great many elderly people. The number of over-75s is set to double in the next 10 years and they could be the people who would have been adversely affected. The Bill will help them. They are the people who do not switch very often, as are younger people and tenants. My children, in their 20s, have raised this with me. The Bill will help them. It is right that the cap system should be temporary. It is an artificial lever to control the market for a short while and is being applied in the interests of consumers. This is the right way to go, as it will still enable competitiveness in the market, which is essential. We want the market to work better for everybody.

As other Members have said, it is essential for us to engage all the different methods in the energy market, such as smart meters—we must get them right—and technology, including data-driven technology. What has not been mentioned before, however, is the need to encourage people to use less energy. There are now many devices on the market that we can put in our homes to ensure that we do not waste so much of it, and I shall be presenting a ten-minute rule Bill on that subject fairly soon. We also need even more investment in renewables. If we are to hit our clean growth strategy targets, we must do all those things, and I am delighted to say that the Government are indeed doing them. We are going in absolutely the right direction.

4.15 pm

As I have said, I fully support the Government amendment, which will make the Bill really work for those for whom it was designed: the consumers. It is a valuable addition to the Bill, and I congratulate all those who have brought it this far and will make it into law.

Mr Speaker: Marvellous. The hon. Lady has completed her oration? Yes. [Interruption.] Well, it was an oration. That is a good thing.

Lords amendment 1 disagreed to.

Amendment (a) in lieu of Lords amendment 1 agreed to.
Future Relationship Between the UK and the EU

4.16 pm

The Secretary of State for Exiting the European Union (Dominic Raab): I beg to move,

That this House has considered the future relationship between the United Kingdom and the European Union.

Let me begin by paying tribute to my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson). I could not make it into the Chamber, but I listened to his personal statement from my office. I pay tribute to the huge service that he did for our country during his tenure as Foreign Secretary, and also to the passion and optimism with which he spoke in relation to Brexit.

Last week the Government published their White Paper “The future relationship between the United Kingdom and the European Union”. It is a principled and pragmatic plan for the relationship that we wish to build for the future.

Ian Murray (Edinburgh South) (Lab): I congratulate the Secretary of State on his promotion to his new role. He mentioned the personal statement made by the former Foreign Secretary in the House today. I wonder if he could tell us which parts of it he disagreed with.

Dominic Raab: I was paying tribute, and paying my respects, to the service that my right hon. Friend had done for this country as Foreign Secretary, and admiring the optimism and the passion with which he had spoken, particularly in relation to Brexit. It is not for me to pick at the detail of his statement. I think that all Members, whatever their views on Brexit, recognise the convictions held by other Members on both sides, and in all parties, in relation to this important matter.

As I was saying, the White Paper is a principled and pragmatic plan for the relationship that we wish to build for the future. It delivers on our dual strategic aim of taking back control over our laws, our money and our borders, while preserving and building on the historic ties with our EU friends—such as trade and security—that we all rightly prize.

The White Paper proposes a free trade area for goods to maintain frictionless trade, supported by a common rulebook and a new facilitated customs arrangement, but only for the rules that are necessary to provide frictionless trade at the border. That will help to secure the complex supply chains and just-in-time manufacturing processes that we have developed with the EU over 40 years. It will give businesses certainty and clarity, and will help us to preserve the jobs that thrive on the basis of frictionless trade across the border. Under those arrangements, businesses from Stockholm to Sunderland and from Cardiff to Krakow will be able to rely on smooth procedures to avoid any potential disruption of their livelihoods.

A key component of the free trade area will be our proposal for a facilitated customs arrangement, a business-friendly model that removes the need for new routine customs checks and controls between the UK and the EU while enabling the UK to control its own tariffs to boost trade with the rest of the world. The UK would apply the EU’s tariffs to goods intended for the EU, and its own tariffs and policy to goods intended for consumption in the UK.

Mike Gapes (Ilford South) (Lab/Co-op): I have not yet had a chance to welcome the Secretary of State to his interesting post. What assessment has he made of the EU-Japan trade agreement that has just been announced? Will he take this opportunity to welcome it as a potential boost to trade for our country, and confirm that the Government are not planning to take us out of that arrangement?

Dominic Raab: I thank the hon. Gentleman for his kind words. That is a draft agreement, which has not yet entered into force. We will of course be champions of global free trade with precisely those emerging markets of the future, from Asia to Latin America, which is where the jobs and opportunities will come from. Like him, I want to see more of that. In fact, one of the advantages of leaving the EU is that we will be able to have an even more energetic and liberal approach to free trade.

Sir Edward Leigh (Gainsborough) (Con): My right hon. Friend was talking about the facilitated customs arrangement. Before Monday, it was already going to be difficult enough to persuade the EU that it was in its interests for us to collect tariffs on its behalf, but after Monday’s vote the arrangements must be reciprocal. Is there the remotest chance of us persuading the EU to collect tariffs on our behalf on some distant border? It just will not happen. It’s dead in the water, isn’t it?

Dominic Raab: My hon. Friend mentions the earlier approach. Under the earlier proposals for a new customs partnership, businesses would only receive tariff rebates after tracking goods through the entire supply chain to the point of final consumption in the UK. In contrast, the FCA—I hope this addresses his point—will be an upfront system. That means that most businesses, the overwhelming majority, would pay the right tariff to begin with. Other businesses could claim a tariff repayment as soon as possible in the supply chain. We will agree with the EU the circumstances in which repayments can be granted. As the White Paper makes clear, we will negotiate a reciprocal tariff revenue formula, taking into account goods destined for the UK entering via the EU and goods destined for the EU entering via the UK.

Mr Jim Cunningham (Coventry South) (Lab): What discussions has the Secretary of State had with companies in this country, such as Jaguar Land Rover, regarding their concerns about Brexit? What reassurances has he given them, or is it too early to ask him that question because he is fairly new in the job? I congratulate him on his appointment.

Dominic Raab: The hon. Gentleman is being far too kind, but I appreciate it. I have already met business leaders, from the Federation of Small Businesses to the CBI. The devil will of course be in the detail as we negotiate, but we have received a positive and constructive response. I will be meeting more business leaders on Friday, so perhaps next week I can fill him in further. I think it is widely understood that we have a principled but pragmatic and flexible approach that will preserve
frictionless trade. The key advantage of the model we have is that it protects the UK-EU supply and value chains, and the businesses refer to that rely on them. As well as supporting business, the approach would meet our shared commitments to Northern Ireland and Ireland in a way that respects the autonomy of the EU without harming the UK’s constitutional and economic integrity.

John Redwood (Wokingham) (Con): Will my right hon. Friend confirm that a very large number of components and materials come into this country from non-EU sources every day and fuel just-in-time systems alongside things from within the EU, proving that there is not a border issue about running just-in-time without being within the EU ring fence?

Dominic Raab: I understand the point my right hon. Friend makes. What we are trying to do, and what I think this model does achieve, is to make sure that any potential disruption to businesses through the supply chains is minimised to the lowest degree. That is the aim, but I do understand the point he makes.

Owen Smith (Pontypridd) (Lab): Will the Secretary of State give way?

Dominic Raab: I will make a little progress, but I promise the hon. Gentleman I will come back to him.

Alongside the close arrangements for goods, we will negotiate a wide-ranging but different approach on services, including the digital sector, which is one of the fastest growing sectors for the UK. That will protect businesses from unjustified barriers or discrimination. It will cover mutual recognition of professional qualifications and it will also preserve our regulatory freedom.

On financial services, we will seek a new partnership in that area, reflecting the mutual interests of the UK and the EU. This approach to services is based partly on the absence of any of the risks of border disruption that might affect trade and goods, coupled with the distinct advantage of regaining domestic regulatory control and the ability to forge new trade deals with fewer letters so that we are well placed to grasp the opportunities of the future.

Owen Smith: I welcome the right hon. Gentleman to his new position. I hear what he says about the Government’s desire to retain as frictionless trade as possible, but does he share my concern that the chief executive of Airbus has said today that he is so concerned about the prospect of friction that Airbus is having to stockpile components in this country lest the Government make a further mess of Brexit and we end up unable to have frictionless, just-in-time trade?

Dominic Raab: I think that, in the hon. Gentleman’s own elegant way, that was a backhanded welcome for these proposals to minimise any risks in that regard, and what we should now all do in all parts of this Chamber is not call for second referendums or returning to the customs union, but get behind the Government’s plan and show a united front so we get the very best deal for everyone in this country.

Owen Smith: Will you tell the former Foreign Secretary that?

Dominic Raab: I shall indeed, but I appreciate the support.

This is the ambitious and balanced approach reflected in the White Paper. As well as sensibly managing the risks of disruption to trade with our EU friends, it frees the UK to trade with greater vim and vigour with the rest of the world, and particularly to capture the growth markets and opportunities of the future. It will allow us to seize the opportunities for more liberal and energetic free trade arrangements with the export markets of the future from Mexico to Japan, which is important for creating the jobs of the future, and for cutting the costs of goods in this country to ease the cost of living for lower and middle-income families.

As we leave the EU, free movement will end. Our immigration policy will be set not in Brussels but by hon. Members elected by the people of this country in this House. We will design a new immigration system that works in the national interest: a system that enables us to control the numbers of people coming to live in this country and that places stronger security checks at the border. We will end free movement, but that does not mean pulling up a drawbridge or turning away the talent we need, and indeed want, for the UK to be an outward-looking nation attractive to investment and open to business.

In line with the arrangements we will negotiate with our close trading partners around the world, the White Paper makes it clear that we want to support businesses being able to transfer to their UK offices those from the EU with the bespoke expertise or experience required to deliver services here. We also want people to be able to travel without a visa between the UK and the EU for temporary business activity. We want families and youngsters to travel for holidays and tourism, and students to study at university across the continent. We can agree these common-sense reciprocal arrangements while regaining control of our immigration policy. That is the balanced approach that will best serve the UK.

Robert Neill (Bromley and Chislehurst) (Con): I welcome my right hon. Friend to his post. Will he bear it in mind that there must be linkage between the very welcome liberal approach to visa regimes that he mentions and, in relation to professional services, mutual recognition of qualifications so that lawyers and other professional advisers can operate on the current fly-in, fly-out policy that is critical to the City of London and other financial sectors?

Dominic Raab: My hon. Friend makes the right point, and he will see extensive text in the White Paper covering precisely that point.

Our vision for a security partnership covers those vital areas and interests that we share in common. Our proposals will maintain operational capabilities that are necessary to protect our citizens, and enable rapid and secure data exchange, practical cross-border operational co-operation, and continued participation in key agencies including Eurojust and Europol, which already have partnerships with many non-EU countries. We will also pursue arrangements for co-ordination in other areas where we have mutual interests: foreign policy, defence, development issues, joint capability development and wider co-operation.
On the return of democratic control over powers and authority to the UK, the White Paper proposals end the jurisdiction of the European Court in the UK. Laws will be decided by elected Members in this House, and UK courts will no longer refer cases to the Luxembourg Court. In a limited number of areas we will choose to adopt common rules to ensure the free flow of goods, but that body of law is relatively stable and where there are any changes Parliament—this House—must approve them. When the UK and the EU need a clear and consistent interpretation of such rules, as between the UK and the EU, we can choose to make a reference to Luxembourg Court for such an interpretation, but the UK will have to agree to that first, and reference for legal interpretation is very different from giving the European Court the authority to apply the law to the facts or to decide which party to any litigation is successful in its claims. When the UK Supreme Court is no longer subordinate to the European Court, it will finally do what it says on the tin.

This is a principled and practical approach. We have shown flexibility as we strive for a good deal for both the United Kingdom and the European Union and as we demonstrate our ambition for a close partnership through the White Paper.

Karin Smyth (Bristol South) (Lab): I am grateful to the Secretary of State for giving way, and I welcome him to his new position. He might be coming on to talk about Northern Ireland, but just in case he has no more to say than his brief comment, may I ask him a question? His predecessor admitted that he had not actually visited the border area, apart from on one brief occasion recently, for more than 20 years, since when times have changed massively. Will the Secretary of State give an indication today of whether he has any more plans, besides his rather vague infrastructure promises, for dealing with the question of the border between the Republic of Ireland and Northern Ireland?

Dominic Raab: I understand precisely the hon. Lady’s concern. This is an important and sensitive issue, and I will be engaging on the EU track in relation to it. I will also, at the right time, make sure that I am properly versed and properly briefed on the matter, and indeed that I visit the border area to take a look for myself.

It is worth emphasising two key principles that we share with our EU friends. The first is that article 50 dictates that a withdrawal agreement must come alongside a framework for the future agreement. The second, flowing from that, is that nothing is agreed until everything is agreed. The Government respect and prize both those principles, and we will not sign away our negotiating leverage or spend taxpayers’ money in return for nothing. In December, we agreed that the financial settlement would sit alongside a framework for a deep and mutually beneficial future partnership. We agreed that we would meet our commitments as they fell due, with ever-declining payments over a finite period that will add up to a tiny fraction of what our net contribution would have been as a member. If either side should fail to meet their commitments under this overarching package—we certainly do not expect that to be the case—that would have consequences for the deal as a whole that we are striving to secure.

Stephen Kinnock (Aberavon) (Lab): I thank the Secretary of State for giving way and I should also like to take this opportunity to congratulate him on his appointment. On Tuesday, I hosted an event here in Parliament where the BeLeave whistleblower, Shahmir Sanni, told us that every member of the Vote Leave campaign committee knew precisely about the £680,000 donation that was donated by Vote Leave to BeLeave. The Secretary of State was of course an active member of the campaign committee for Vote Leave, and presumably therefore knew about that £680,000 donation. Given the importance of his role now in the negotiations with Mr Barnier, will he take this opportunity to set out in precise detail what he knew about that donation to BeLeave? This could be an opportunity to enhance and reinforce his authority and credibility in the negotiations.

Dominic Raab: I appreciate the hon. Gentleman’s efforts to try to strengthen my leverage in the negotiations to get Brexit delivered, and I take him at his word. I had nothing to do with any of the financial arrangements: I was on the campaign board. Those details are subject to investigation by the appropriate authorities, and I would just gently say to him that trying in this rather backhanded way to undermine the credibility and the verdict of the British people will only rebound on him—

Stephen Kinnock: It is the verdict of the Electoral Commission.

Dominic Raab: But the verdict of the British people is the one that we in this House must give effect to.

Several hon. Members rose—

Dominic Raab: I will not give way.

Tomorrow I will be in Brussels to meet my counterpart, Michel Barnier, to discuss the details of the White Paper and to take stock of the negotiations. The UK will extend the arm of friendship in a spirit of optimism and good will, backed by an ambitious and innovative plan that respects the position, interests and concerns of the EU. I certainly hope that that ambition and good will will be reciprocated.

Sir Hugo Swire (East Devon) (Con): I also welcome my right hon. Friend to his place. When he meets Mr Barnier for the first time tomorrow, will he ask him, as evidence of that good will as the pace of the negotiations starts to increase, whether he will look again at the exclusion of Britain from some parts of the Galileo project and also address why the Department for International Development is being excluded from some projects that it co-funds with the EU?

Dominic Raab: I will certainly consider all those areas not only in detail, but in terms of the strategic overview and the state of play of the negotiations as a whole. As I said, I hope that the ambition and good will reflected in the White Paper will be reciprocated.

Equally, it is the duty of any responsible Government to prepare for every eventuality, including the unlikely scenario that we reach March 2019 without agreeing a deal. It is essential that plans are in place to mitigate risks and ensure stability whatever the outcome of the negotiations. The Government have been working on nearly 300 no-deal plans for almost two years, and some of them are already in the public domain. Last month, we passed the Nuclear Safeguards Act 2018, which provides the legal basis for developing our own regulatory system in that vital area. We have also been taking other
practical action to ensure that the infrastructure is in place. For example, we have recruited 300 extra border staff, and a further drive to create another 1,000 was launched earlier this year.

Many of our no deal preparations have so far been developed internally and through targeted engagement with relevant parties. However, more of the preparations will now become public, and I can tell the House that the Government will release a series of technical notices over August and September to set out what UK businesses and citizens will need to do in the event of a no-deal scenario, thereby making the public more aware of our preparations. That due diligence is designed to provide reassurance. In reality, such planning cannot properly be done without some public-facing engagement.

Thangam Debbonaire (Bristol West) (Lab): I add my congratulations to those of other hon. Members on the right hon. Gentleman’s appointment. He mentioned advance preparations, but I find it incredibly curious that it took two years before we even started them. He says that no responsible Government would wait to make backstop arrangements, but what happened before the referendum? What has happened over the past two years? Why have we waited until there are just weeks to go before making backstop arrangements?

Dominic Raab: I listen carefully to the points that the hon. Lady and all hon. Members make, regardless of their views on Brexit, but I just said that the Government have been working on 300 no-deal plans for almost two years. Planning has not just started. However, we are going to start increasing the pace of the preparations—

Wera Hobhouse (Bath) (LD): Will the Secretary of State give way?

Mr Steve Baker (Wycombe) (Con): Will my right hon. Friend give way?

Dominic Raab: May I make some progress? As a result of the further measures that we will be taking, more of the preparations will become public facing. It is important that we talk about that in order to reassure the public that it is the responsible thing to do.

Mr Baker: I congratulate my right hon. Friend on taking up his new post. As he knows, I am well familiar with the work that has been done. He may have heard my question at PMQs earlier, but may I put to him what I put to the Prime Minister? When technical notices or any communications related to no deal are released, will he please ensure that they are shaped to ensure that they support the credibility and feasibility of our plans, not only to give comfort and reassurance to business, but to strengthen our negotiating position?

Dominic Raab: This is an opportune moment to pay tribute to my hon. Friend for all his work in the Department, particularly on no-deal planning. He makes an excellent point that will be at the forefront of my mind as we continue to step up our preparations.

Owen Smith: Will the Secretary of State give way before he moves on?

Dominic Raab: I will not. Other people want to speak and I have already given way to the right hon. Gentleman. We will strive in the spirit of optimism to strike the very best deal with our European friends but, whatever the outcome of our negotiations, we stand ready to make a success of Brexit.

4.39 pm

Keir Starmer (Holborn and St Pancras) (Lab): She may have left the Chamber, but I begin by paying tribute to my hon. Friend the Member for Bridgend (Mrs Moon) for her moving speech in support of her Access to Welfare (Terminal Illness Definition) Bill. I also listened to some of the debate on the Domestic Gas and Electricity (Tariff Cap) Bill, on which unity broke out—in fact, there was a celebration of unity. I am not sure we can maintain that unity in this debate, but we can remain civil in our disagreements. In order to do that, apart from one reference, I had best avoid mentioning the right hon. Member for Uxbridge and South Ruislip (Boris Johnson).

The Prime Minister insists that her Brexit plan will deliver a “smooth and orderly” exit from the EU. Anyone looking in over these past few weeks will be bound to conclude that nothing could be further from the truth. The Chequers agreement took two years to reach and two days to unravel and, even in the past hour and a half, the Secretary of State for Exiting the European Union has said that we should get behind it. The right hon. Member for Uxbridge and South Ruislip called it the “miserable permanent limbo of Chequers” to great cheering from that part of the Chamber.

A White Paper that should have been published before article 50 was invoked arrived late for the statement last week and, after this week’s votes, lies in tatters. There have been daily resignations and knife-edge votes, and we see a Government clinging on literally vote by vote by using, as I understand from last night, threats of no-confidence votes and of a general election to achieve a result and, it seems, by breaking pairing arrangements with an MP on maternity leave. I listened carefully to what the Prime Minister said about that earlier, but I ask the Secretary of State to explain how the Tory party chairman, the right hon. Member for Great Yarmouth (Brandon Lewis), accidentally voted on two crucial votes and yet managed, presumably deliberately, to abstain on the others as agreed.

Now the Secretary of State is trying to sell a White Paper that he had not seen until last week and in which, in many respects, it is hard to believe he really believes. It is already dead in the water. That is before he has even had the chance to meet Michel Barnier.

Although some Brexiteers predicted that the negotiations with the EU would be the easiest in history—that was the Secretary of State for International Trade—and that new trade agreements would be signed by March 2019 with countries totalling 10 times the geographical size of the EU, which was the corker from the former Secretary of State for Exiting the European Union, most of us recognised that, in honesty, the Brexit process would be very complicated and very difficult. I have always accepted that negotiating Brexit would be a challenge for any Government.
What we have seen in the past few weeks is not just a weak Government struggling with the inevitable complexities of Brexit; this is simply the latest battle of a political party at war with itself. A war once contained in the Conservative party now threatens to engulf the country. For 30 years or more the Conservative party has been engaged in a civil war over Europe, and the national interest has been the collateral.

The European question has brought down the Conservative party’s last three Prime Ministers, and it could well bring down this one. Margaret Thatcher was completely at odds with her Cabinet on the exchange rate mechanism, and it eventually led to her downfall. John Major grappled with his Maastricht rebels, and we know how he referred to them. Indeed, that accidental recording of John Major’s comments has resonance today:

“The real problem is one of a tiny majority...a party that is still harking back to a golden age that never was, and is now invented.”

Then we had David Cameron, the man who told his party to stop “banging on about Europe” before calling a referendum, losing it and then riding off into the sunset.

While the Tory party fights with itself over Europe, as we have seen in the past couple of days, inequality continues to grow, the housing crisis spirals out of control, our NHS and public services groan under the cuts to their budgets, and any principle to guide our foreign policy has fallen by the wayside.

Nick Boles (Grantham and Stamford) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I will in just a moment.

Frankly, most people are sick and tired of this Tory war. Whether they voted to leave or remain, most people look on aghast at the mess the Government are making of Brexit; we have all had those comments made to us in the past few days.

Several hon. Members rose—

Keir Starmer: I will give way in a moment. People are aghast at the threat that that approach poses to jobs, the economy, peace in Northern Ireland and our place in the world. So I have a simple message to the Prime Minister and to the Government: this has got to stop. The Tory party has no right to risk the wellbeing of our country in this way or to plunge our politics, our Parliament and the wider country into the kind of chaos we have seen in recent weeks.

Simon Hoare (North Dorset) (Con): I am listening with great attention to what the right hon. and learned Gentleman has to say. I take the point that we are talking about the future of our nation. Is it not time, therefore, to build on this issue, as this House sculpts how this country looks as and when we leave the EU, and time for us to pull together, at the pragmatic centre ground of this House, to shape and sculpt the sort of Brexit that we want to see—one that works for our country and our economy, both now and in the future? We should not play party politics, but instead work together with common sense and pragmatism.

Keir Starmer: I am grateful for that intervention. Anybody who has looked in on the past two days and seen the infighting on the Conservative Benches would question whether that process cannot start with the Tory party. I have laid out the history because this is a deep divide, which has been at the heart of the Conservative party for decades. It has been waiting to break out since the referendum result. It has been contained time and again, but now it has broken out. Now it more than risks the Conservative party; it risks the future of our country, and that is why it has got to stop.

Nick Boles: The right hon. and learned Gentleman is a distinguished lawyer, so he would never say anything without appropriate evidence. He should therefore withdraw his comment that inequality is rising, because he will know as well as everyone else that the Office for National Statistics and the Institute for Fiscal Studies have confirmed that inequality has not risen at any point in the past 10 years.

Keir Starmer: I simply disagree, on so many fronts, but that is a whole discussion in its own right. I invite the hon. Gentleman to walk around my constituency on any day of his choosing to see the obvious inequality there.

Several hon. Members rose—

Keir Starmer: I will make some progress and then I will give way again.

The flaws in this White Paper and the mess the Government find themselves in do not just stem from the history of Conservative party splits over Europe—there are mistakes of this Government, too. After the referendum, we needed decisive leadership to bring a divided country together—to honour the result, but also to speak for those who voted remain. We needed a vision where everybody could see their future, and we needed to ensure that the social and economic causes of the referendum were addressed. Instead the Prime Minister set out, in October 2016, impossible and extreme red lines: no customs union; no single market; having nothing to do with a European Court; having no common EU agencies. She also had no plan to avoid a hard border in Northern Ireland. In addition, she pushed away Parliament. There was a moment when she could have sought its backing, but she pushed it away and avoided scrutiny. None of the speeches she has ever made on Brexit—the “House speeches”—have been put to a vote in this Parliament to see whether they would be approved. She has rejected sensible amendments and proposals from across the House to make Brexit work. What is the result? It has taken two years to produce this White Paper and it has lasted less than a week.

Mark Pritchard (The Wrekin) (Con): The right hon. and learned Gentleman is a fair-minded individual and he is doing a great job of bringing the Government to account over the Chequers plan, but of course he and his party agree with parts of that plan. Would he like to say what parts he agrees with, rather than just those he disagrees with?

Keir Starmer: I am grateful for that intervention. I will come to that, because I am coming to the detail now and I will go through it.

I turn to the facilitated customs union arrangement, because it demonstrates how unworkable the White Paper is. It is based on the idea that traders can reliably
distinguish at the border between goods intended for the UK and goods intended for the EU. Paragraph 16a of the White Paper says that

"where a good reaches the UK border, and the destination can be robustly demonstrated by a trusted trader, it will pay the UK tariff if it is destined for the UK and the EU tariff if it is destined for the EU."

The idea is that, at the border, someone can safely distinguish between goods that are going on to the EU and those that are not and then apply different tariffs and regimes to them. Whatever “robustly demonstrated” means is not set out, but it is a complicated two-tier system, which is why business has been so concerned about it. It involves the idea that we will account to the EU for the tariffs that are collected. If the destination of goods is not known, the higher tariff is paid at the border and recouped at some later stage. That is a hugely complicated two-tier system, with a third system overlaid for goods the destiny of which is not known.

I have heard it said that, happily, for 96% of goods, the destiny will be known on the border. The reference for that is footnote 6 on page 17 of the White Paper. I do not know whether the Secretary of State has chased that footnote, but I have. I challenge him to explain on some occasion—now, if he can—how that 96% figure is arrived at, because it is not at all clear from that footnote. However, the important point is this: whether it is 96%, or some lesser percentage, there will need to be checks to ensure the integrity of the system and to avoid abuse.

The solution that the Government have put forward is the tracking mechanism that was floated last summer. It is an interesting idea; it is a shame that it does not yet exist. It is no good Ministers on the Front Bench shaking their heads. If the position is that there will be no checking at all after the event to see whether the right tariff was indeed paid, to avoid abuse or to protect the integrity of the scheme, I will let the Secretary of State intervene on me to say that the proposal is that, as goods pass the border, that is it—no check. If that is not the case, he must accept that, as with any system, whatever the percentage rightly designated or not at the border, there will have to be tracking systems to check that the correct tariff was paid; otherwise, it is very obviously open to gross abuse.

Vicky Ford (Chelmsford) (Con): This time last week I met Members of the European Parliament, including one from the Socialist group who explained to me that a senior member of the Labour party had addressed their group and, in the words of that parliamentarian, effectively they had been discouraged from giving the UK a good a deal because it would encourage other countries to Brexit themselves. Can the right hon. and learned Gentleman confirm whether he or any other Opposition Front Bencher has indeed addressed the Socialist parliamentary group of the European Parliament, and can he confirm that if and when negotiations are concluded along the lines of the White Paper, he will encourage people to vote for it in the best interests of our country?

Keir Starmer: I am grateful for that intervention. I have made many, many trips to Brussels. I have had many discussions with political parties across all of the EU27 countries, and I have never, on any occasion, sought to undermine the Government in any of those discussions. I made that commitment to the former Secretary of State when he started his role and when I started my role. Therefore, there is absolutely nothing in what the hon. Lady has said.

Alex Chalk (Cheltenham) (Con): The right hon. and learned Gentleman is giving, as one would expect, a forensic and detailed scrutiny of these proposals, but the end point of his argument must be that there should be a customs union. I understand the point, but has he made any assessment of the extent to which, in the country, there would be a sense of betrayal, which would place the disquiet that has taken place in this House into a cocked hat? Does he have any assessment of that?

Keir Starmer: The referendum answered the question, “Do you want to stay in or leave the EU?” We are now grappling with the question of what the future arrangements should be. We have to safeguard the manufacturing sector and we have to keep to the solemn commitment that there will be no hard border in Northern Ireland. Anybody who has looked at the issue has accepted that the only way to keep to that solemn commitment on Northern Ireland is to have a customs union with the EU.

Mr Marcus Fysh (Yeovil) (Con) rose—

Keir Starmer: Let me complete my point.

The second half of the intervention by the hon. Member for Cheltenham (Alex Chalk) implied that anybody who voted leave would not countenance a common rulebook on goods; well, that is in the White Paper, because we have all had to work through the practical consequences of the referendum. It is no good to take such an extreme interpretation of Brexit that we wreck the manufacturing sector, abandon the service sector and abandon the solemn commitment to Northern Ireland. We have all been grappling with those issues for two years and we have to stop this suggestion that to put forward any practical arrangement for moving forward and safeguarding our country is somehow to frustrate or betray the referendum.

I see that the former Secretary of State, the right hon. Member for Haltemprice and Howden (Mr Davis), has walked in. Earlier, there was a suggestion that in my discussions in Brussels or elsewhere in the European Union I had somehow been trying to undermine what he has done. He and I know that that has never been the case, so I invite him to intervene, if he would.

Mr David Davis (Haltemprice and Howden) (Con): The right hon. and learned Gentleman has had many discussions with me, on Privy Council terms, over the past two years, and I have to say to the House that he has always been supportive of the country’s interests in those discussions and, indeed—at least in my understanding—in his conversations in the European Union.

Keir Starmer: I am grateful for that intervention; I hope it deals with the suggestion made earlier.

Let me go back to the facilitated customs arrangement. It is a complicated, two-tier arrangement that involves different tariffs being charged at the border and, if it is not known what tariff should be taken, it involves the tariff being reimbursed later if it was wrong.
Dominic Raab indicated dissent.

Keir Starmer: It is no good the Secretary of State shaking his head, because that is what it says in paragraph 16 of the White Paper. It is complicated. It is no wonder that businesses have said that they are sceptical about it and it is no wonder that the EU has said that it does not think it can operate such a system. It is no doubt for that reason that paragraph 17a says, after a description of the arrangement:

“However, the UK is not proposing that the EU applies the UK’s tariffs and trade policy at its border for goods intended for the UK.”

There is no reading of that other than, “This is so complicated and bureaucratic that we know the EU will not be prepared to do it and we are not going to ask it to.” There is no other reading of that sentence.

Enter Monday’s European Research Group new clause 36, which says:

“Subject to subsection (2), it shall be unlawful for HMRC to account for any duty of customs or VAT or excise duty collected by HMRC to the Government of a country or territory outside the United Kingdom”,

unless

“arrangements have been entered into by Her Majesty’s Government and that government under which that government will account to HMRC for those duties and taxes collected in that country on a reciprocal basis.”

In other words, it will be unlawful for us to collect and account for taxes at our borders unless other countries and territories—the EU27—collect tariffs and account for them for us. It will be unlawful. The White Paper says that we are not going to ask the EU to do it, but new clause 36 says it will be unlawful if the EU does not.

Dominic Raab indicated dissent.

Keir Starmer: I invite the Secretary of State to intervene if he wants to quibble with that analysis. By that amendment, the Government have cut across their White Paper and inevitably made it more difficult for the Secretary of State to negotiate with the EU when he goes there tomorrow, because the EU has said, “This is not attractive to us and we don’t want to do this.” The White Paper says that we will not ask the EU to do it, but new clause 36 says it will be unlawful if the EU does not.

Dominic Raab indicated dissent.

Keir Starmer: I invite the Secretary of State to intervene just one more time. What is the point of the sentence that follows the one that he has just read out?

Dominic Raab: It is the exception to those arrangements, which is that we are not requiring the EU to levy the tariffs.

Keir Starmer: This must be my failure to comprehend. There is an arrangement whereby tariffs are applied at the border and accounted for. The UK is not proposing that the EU applies the UK tariffs and trade policy at its border for goods intended for the UK, so how is it going to account for them?

Wera Hobhouse: Does the right hon. and learned Gentleman share my suspicion that the proposals are designed to be so complicated and difficult that the EU will find it very hard to engage with them, so that time will go by and we will end up crashing out without a deal, as has always been the Government’s intention?

Keir Starmer: I am grateful for that intervention, because it demonstrates why this is so important. Unless there is a customs arrangement that works for manufacturing, there is not an arrangement that works for manufacturing. The Government last night voted down an amendment to say, “If we cannot make something else work, we will have a customs union.” So if this does not work, there is nothing for manufacturing. Equally, if this does not work, there is nothing for Northern Ireland.

Dominic Raab indicated dissent.

Keir Starmer: The Secretary of State shakes his head, but if this does not work, what is the plan? If he wants to intervene, that is fine. If this plan does not work—if this facilitated customs arrangement is not acceptable—the default, according to the Government, is not a customs union. What is the plan?

Mr Fysh rose—

Keir Starmer: I shall make further progress, then give way.

This is not just a forensic challenge to the White Paper; it is fundamental. Absent a workable customs arrangement, the Government have no answer to the question of how they would protect the manufacturing sector. Absent a workable customs arrangement—

Dominic Raab: The right hon. and learned Gentleman’s analysis is not that forensic, because—inadvertently rather than deliberately, I suspect—he omits the key words from the White Paper:

“The UK and the EU should agree a mechanism for the remittance of relevant tariff revenue. On the basis that this is likely to be the most robust approach, the UK proposes a tariff revenue formula.”

That, of course, will be agreed as well; that is what the negotiations are for. It is set out plainly and squarely in the White Paper, and I think he knows that.

Keir Starmer: I anticipated that challenge, and I anticipated that sentence. Let us read the sentence:

“The UK and the EU should agree a mechanism for the remittance of relevant tariff revenue.”

Will it be reciprocal or not? If it is not reciprocal, it will be unlawful; that is the difficulty. If it is intended to be reciprocal, what is the point of the sentence reassuring the EU that “the UK is not proposing that the EU applies the UK’s tariffs and trade policy at its border for goods intended for the UK”?

Whatever the arrangement is, we know one thing about it: it will not involve the EU applying UK tariffs and trade policy at its border. Otherwise, what is the point of that qualification?

Dominic Raab: I am afraid that the right hon. and learned Gentleman is making a false distinction. The key line in the paragraph is that “the UK proposes a tariff revenue formula, taking account of goods destined for the UK entering via the EU and goods destined for the EU entering via the UK.”

That is the most explicit statement of reciprocity. What more could he expect?

Keir Starmer: I invite the Secretary of State to intervene just one more time. What is the point of the sentence that follows the one that he has just read out?

Dominic Raab: It is the exception to those arrangements, which is that we are not requiring the EU to levy the tariffs.

Keir Starmer: This must be my failure to comprehend. There is an arrangement whereby tariffs are applied at the border and accounted for. The UK is not proposing that the EU applies the UK tariffs and trade policy at its border for goods intended for the UK, so how is it going to account for them?
**Dominic Raab:** This model will work. I gently say this to the right hon. and learned Gentleman: if he cared about it that much, why did the Labour party go into the last election committed to having an independent trade policy, which can only mean leaving the customs union?

**Keir Starmer:** I really do not like the Secretary of State saying, “if he cared about it that much”. The suggestion that we are not both engaging in a difficult analysis of the White Paper with the interests of our country at heart is not fair. I care about this greatly, because without the right arrangement, I genuinely believe that manufacturing in this country will be at risk. Having worked in Northern Ireland for five years, I genuinely believe that, without a working arrangement, the solemn commitment to no hard border in Northern Ireland may not be kept. It is really serious, and point scoring about whether one is serious about it or not does not help; doing so demeans the Secretary of State in his role. It is not the way to conduct such debates.

It is not just the manufacturing sector; the White Paper’s proposals on services reveal a huge black hole. Likewise, the proposals on rights and protections are simply inadequate. On social rights, employment rights and environmental rights, there is a non-regression approach: we will not necessarily keep up and we will not necessarily improve, but things will not necessarily get worse.

There is no clarity on the role of the European Court of Justice. [Interruption.] The Secretary of State says, “It ends”, but it clearly does not end. The European Court has two different primary jurisdictions: first, dispute settlement; and, secondly, reference. That is the jurisdiction that it has had, as he very well knows, with his experience. The second of those is being preserved for everything in the common rulebook. That is why it has caused such difficulty within his own party. The jurisdiction of the Court would exist on reference procedure for that wide range of issues, and he well knows it. It will operate, I should imagine, in precisely the same way that it operates now. That is, there will be a reference to the Court, the Court will decide the question before it, it will give a ruling and an interpretation, and that interpretation will be binding, because if it is not, there is no point in that reference procedure, as he knows.

**Dominic Raab** indicated dissent.

**Keir Starmer:** Well, if the Secretary of State is going to suggest that the reference to the Court is for a ruling that is not binding, I will be very interested to hear about it, because there is not much point in referring something to a court for a ruling and then saying, “Well, it’s very nice but we’re not going to apply it.” The whole thing only works if the ruling of the European Court can be binding.

The proposal for the labour mobility framework says things about business trips and tourism, but is completely silent on the terms under which EU citizens will be able to live and work in the UK and UK citizens in the EU.

The grim reality is this: it has taken two years to get to this point, yet, on analysis, there is nothing there—or, more accurately, there is nothing that the warning Conservative party can agree on. The Prime Minister’s plan is exposed as unworkable and unacceptable to her own party, but she cannot move forward, as Monday night showed. That is not taking back control; it is no control—stalemate. But the country cannot keep paying the price for these divisions in the Conservative party.

We need a Brexit plan that can unite the country and protect jobs and the economy, and I am sorry to say that this White Paper is not it.

5.6 pm

**Mr Steve Baker** (Wycombe) (Con): A little over a week ago, I appeared on TV and invited colleagues to take stock, so I hope that in this speech I will make some attempt to do that.

The first thing I should like to say is that I believe we should develop “a special relationship with” the European Union, “aiming to establish an area of prosperity and good neighbourliness, founded on the values” which we share and characterised by close and peaceful relations based on cooperation.

Informed Members of the House will have spotted that in saying that I have transposed article 8 of the treaty on European Union. That should be our common goal.

What kind of character should this co-operation have? I do not want us to build a wall; I want us to remain the closest of friends and partners. In that spirit, I propose, first, that “as we are confronted with similar security threats...the EU and the UK continue our common fight against terrorism and international crime.”

Secondly, I propose that the UK should “participate in EU programmes in the fields of research and innovation, as well as in education and culture. This is key to maintain mutually beneficial and enriching personal networks in these...areas, and for our shared common community of values to prosper...in future.”

Thirdly, I would like to “avoid that particularly absurd consequence of Brexit that is the disruption of flights between the UK and the EU.” I would also like to make sure that there is no disruption on data, the channel tunnel or roll-on/roll-off ferries. Finally, I propose that we aim for a trade agreement covering all sectors and with zero tariffs on goods. Like other free trade agreements, it should address services. And in fisheries, reciprocal access to fishing waters and resources should be maintained.”

In saying that, I have just stuck very closely, with some variations, to quoting President Donald Tusk’s statement on the draft guidelines on the framework for the future relationship with the UK, issued on 7 March 2018.

I have been astonished recently to learn just how many colleagues had not noticed that offer which was placed before us—a wide-ranging offer including free trade and no tariffs in all sectors, including services. We have to ask why we have not taken this path. I have concluded from my experience that it is first and foremost because the establishment, the governing class of this country, does not believe in Brexit. The governing class believes in EU membership and is trying to deliver something as close as possible to the EU—not the EEA and the customs union because it is known that such an arrangement would not be accepted as leaving, but something like the customs union and EEA-lite, if I might call it that. That is what is before us in the Chequers White Paper.
Peter Grant (Glenrothes) (SNP): Will the hon. Gentleman explain who and what is the governing class? If it is not the former Foreign Secretary, what on earth is it?

Mr Baker: As you know, Mr Speaker, I have been asked to keep to a time, and that term is sufficiently familiar to people in this House and across the country so I will not spend minutes defining it. It is the great class of people who govern our country, whether in politics, the civil service or the media, and those who govern our large companies.

Owen Smith: Will the hon. Gentleman give way?

Mr Baker: No. I am making my points gently and trying to do so in a spirit of co-operation. I heard the hon. Gentleman accuse me from a sedentary position of Trumpism, and I am not willing to go down that path with him.

Stephen Gethins (North East Fife) (SNP): Will the hon. Gentleman give way to me?

Mr Baker: I will not; I will go on.

I will say this, because it is important that it is said—[Interruption.]

Mr Speaker: Order. There is a rather discordant atmosphere in the House. This is a matter upon which there are passionately held and differing points of view, but Members are entitled to be heard with courtesy. I simply reference the fact that the hon. Gentleman is an immediate-past Minister and he must be heard, and heard with courtesy.

Mr Baker: Thank you, Mr Speaker. I will try most sincerely not to be too indiscreet, but before Christmas—I believe it was September or October but my detailed, copious notes are at home and so not available to me—I was asked by a very senior person what the political consequences would be of choosing an EEA-lite deal. I explained that it would be a political cataclysm for the Conservative party and there would be a great political explosion if such a thing were chosen. We discussed it at some length.

Shortly after Christmas, after the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Fareham (Suella Braverman), joined the Department, I will reveal that we had a ministerial meeting at which all the Ministers looked at the proposals in advice, and we all agreed we should build from a free trade agreement Canada-style rather than take an EEA-lite deal. Yet, despite proceeding on that collective basis in our Department, here we are with a proposal before the House that requires a mandatory degree of high alignment to EU rules. It is an EEA-lite proposal, not a Canada-plus proposal, if I may put it in those terms, despite a long history of Ministers rejecting that.

I have to conclude that it has long been the intention of those providing advice that we should arrive at such a relationship. Those proposing this category of close relationship, with the up-front choice of mandatory alignment, have two profound problems. First, the project of the European Union is in real difficulty. I take no pleasure in that, and no one need take my word for it—Jean-Claude Juncker said on 14 September 2016:

“Our European Union is, at least in part, in an existential crisis.”

Monsieur Macron said in Strasbourg on 17 April this year:

“There is a fascination with the illiberal, and that is growing all the time...Month after month we are seeing views and sensibilities emerge which call into question certain fundamentals. There seems to be a sort of European civil war.”

That is the most of extraordinary thing to have been said, yet it was said by a man who supports the European project. George Soros, who famously supports the project, has said:

“The European Union is mired in an existential crisis. For the past decade, everything that could go wrong has gone wrong.”

Andrew Lewer (Northampton South) (Con): I thank my hon. Friend not only for his words today but for the hard work he put into trying to get us to the right place. Does he recall that it was my view as an MEP at the time, and that of the British people, that it was the EU’s very direction of travel and the concept of it not as a static, safe, solid entity with which we are entering some sort of new relationship but an organisation moving in a particular, disturbing direction, that led the British public to make the decision they did, and it is our responsibility to fulfil that?

Mr Baker: I agree with my hon. Friend, but I would extend his remarks by saying that it is clear, across the European Union, that the project is running into the problem, as its proponents have said, that it lacks democratic consent for what is being done. This is a profound problem that should alarm all of us.

If we look at Hungary, we see that almost 70% of the vote share is for parties that could be considered populist. In Germany, Alternative für Deutschland has risen from obscurity to be the third largest party, forcing Frau Merkel into a coalition—an unwanted coalition—to keep it out. In the Netherlands, the major parties have announced that they would do everything they could to keep the so-called Freedom party out of power, refusing to form coalitions with it despite the Freedom party getting the second largest share of the vote. I am very grateful to those in the Italian Parliament for passing a helpful motion, but I hope they will not be offended if I say that their parties are not necessarily considered mainstream. The rejection of the status quo in Italy is indicative of a trend right across Europe where, politically, the project is being rejected.

On the economy, I would just say that, according to the House of Commons Library, the European Central Bank has, in total to date, purchased €2.5 trillion of assets, which includes €2 trillion of Government debt. By the end of 2018, the figure is scheduled to be €2.6 trillion. That is equivalent to about 23% of annual eurozone GDP. This is the most extraordinary economic and monetary period in history. I personally believe that the distortions sown by quantitative easing on such a scale will unwind, and will do so in a very harmful way. That is the first problem faced by those who propose a high-alignment scenario such as this one. It seeks to cling on to institutions and a kind of political economy that are running out of public consent and have economic difficulties.

Stephen Gethins: I thank the hon. Gentleman for the speech he is delivering. I am glad that he is using statistics from the House of Commons Library that he
clearly believes. As a former Minister, will he reflect on the statistics that the UK Government put together showing just how disastrous every form of Brexit would be?

Mr Baker: I am grateful to the hon. Gentleman, but I am afraid that I will just refer him to the answer to the relevant urgent question, which I will stand by for a very long time.

The second point—I have received some private communications reinforcing my view—is that, unfortunately, the establishment believes that any deal will be voted through by this House and is working on that basis. I have to say it is with some horror that I face the possibility that that consideration is being borne in mind by negotiators, because I do not believe for a moment that it is true. I believe that Scottish National party Members will always vote in a way that reinforces their hopes of secession from the UK, which is bound to mean voting against any agreement. I believe that the Labour party, for all the good faith of the shadow Secretary of State, will in the end vote against any agreement—any agreement. That therefore means that people—whether or not they like it, and however impartial they may be—must bring forward a deal that can be voted through by the Conservative party.

The number 40 has been bandied around in this House in the past few days. I am sorry to say it—it gives me no pleasure to say it, but I must do so—and the rest. People who have said 40 are not out by a fraction: when they come to consider the number of Members on the Conservative Benches who do not like this deal and are willing to vote in line with that dislike, they are out by a factor, not by a fraction. That means people must face up to the difficult truth that a high alignment—a Brexit that requires a high degree of permanent alignment to the European Union—will not go through this House; it will fail. Those are the two difficulties that officials—officials—must face up to.

Stephen Kinnock: Will the hon. Gentleman give way?

Mr Baker: I will give way briefly, and I then want to try to move to a conclusion.

Stephen Kinnock: The hon. Gentleman is being very generous in giving way. Will he confirm that he is in effect saying that Chequers is absolutely dead in the water? The implications of that are enormous for the Secretary of State, who is about to go to Brussels to meet Monsieur Barnier. How is he supposed to do that, and on what basis is he conducting those negotiations? If the hon. Gentleman could also say what his alternative plan is, that would be very useful for the House.

Mr Baker: I am about to come on to my alternative, but I will not have words put in my mouth. I said when I appeared on the television last Monday that this was a time for reflection and taking stock, because the choices before this country are grave. Every Member of this House, on whichever Bench they sit, needs to think extremely carefully about how we go forward. I will not have words put in my mouth. What I have said, I have said from my knowledge and I believe it. No one should plan on a high-alignment deal—an EEA-lite style deal—going through this House.

Three key steps should be taken as we go forward. The first is that those in the UK who I would call the establishment, the governing class—who create the climate of opinion—must accept the referendum result and its consequences. I encourage them to look at President Tusk’s March statement on the guidelines. The red lines that the British public expect us to fulfil imply that the common landing ground of our relationship with the EU, which I spelled out, taking words from his statement, is partnership on security, some participation in research, innovation, culture and education, dealing with the absurd consequences that would otherwise arise, and having a free trade agreement in the style of a normal FTA, not EEA-lite. That must be embraced.

Secondly, I refer the House to the question asked of the Prime Minister by my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) today. The Government should table a legal text that should include a solution for the border in Ireland. We should stand ready, open, to negotiate this common ground set out in March.

Sir Edward Leigh: The Prime Minister appears to be saying that President Tusk’s suggestion of a Canada deal is not acceptable because it would result in some kind of hard border. That is not something I accept, but perhaps my hon. Friend can comment on it. If we have the facilitated customs arrangement, will we not need some tracking device and, if we have a tracking device, could that not be used to alleviate any hard border in Northern Ireland?

Mr Baker: Mr Speaker, I am conscious that I am going beyond the guidance that you gave us, and I am very grateful to you for allowing that.

What I would say to my hon. Friend the Member for Gainsborough (Sir Edward Leigh) is that I believe that the problems of the Irish border are first and foremost to do with political and administrative will. A great deal has been said about technology, which is in fact a distraction from the reality that there is already a border, particularly in relation to excise. I believe that it really is political and administrative will that stands in the way, and that there are no insurmountable problems on the border. I also believe that there are no insurmountable problems with customs declarations or rules of origin. I very much hope that my hon. Friend the Member for Yeovil (Mr Fysh) might touch on that, as I know that he is an expert on the subject.

The second point is to table legal text to stand ready in good faith to negotiate the landing zone set out by the President and Council and to be ready to deliver in the spirit of article 8.

The third thing we must do is that thing which the Cabinet resolved collectively at Chequers. We must accelerate the delivery of our plans to leave the European Union in the unwanted eventuality that nothing can be agreed. We must be ready. We cannot allow ourselves to be in a position where complacency means that the Government machine goes forward thinking that any deal will go through Parliament, when I feel confident that deals that are, for want of a better term, too soft will be rejected by this House. We cannot allow ourselves
to be put in a position in which we are perhaps not as ready as we should be and a deal is unexpectedly voted down.

**Tom Brake** (Carshalton and Wallington) (LD): Will the hon. Gentleman give way?

**Mr Baker:** I want to wrap up. The right hon. Gentleman intervened on me so many times when I was in another role that I hope that he will forgive me for not giving way now.

I am sure that our country is on the cusp of delivering a catalysing transformation both of global free trade and corresponding political institutions in delivering democratic self-government that can deliver on the aspirations of the British people. There is a greater future ahead for the UK, Europe and the world if we do it, but if those who set the climate of opinion and decide what we shall do persist in turning their face against accepting the democratic decision and the red lines that people expect us to fulfil, and thus rejecting President Tusk’s vision of where we should land together, it will be their fault if we end up exiting this European Union with nothing agreed.

5.24 pm

**Peter Grant** (Glenrothes) (SNP): Follow that! I gently say to the hon. Member for Wycombe (Mr Baker) that he might not be able to explain briefly who and what the governing class is, but I can, because I am looking at them right now. For him to suggest that if Brexit all goes wrong, it is somebody else’s fault is typical of the approach that we have seen from his colleagues from day one. There was a mass evacuation, when Farage and Co. left, or prepared to leave, the country as soon as the dirty deed had been done. We had the former Foreign Secretary bailing out, trying to avoid becoming a Minister. We did it again last week when Ministers and Parliamentary Private Secretaries could not get off the sinking ship quick enough, so we will not have anybody, either now or in future, trying to point over to the Opposition Benches and say that it was our fault that their ridiculous, reckless escapade all went horribly wrong.

While we are talking about the United Kingdom’s relationship with the European Union, this debate and the last few days have shown that there is a massive problem with the United Kingdom’s relationship with itself. The hon. Gentleman referred to the right problem, but in completely the wrong way. We have been lectured to since June 2016 that we must respect the will of the people. These are the people that the leave campaign lied to, cheated and campaigned on illegally, with dodgy money from who knows where. People were conned into a vote. They were deliberately targeted. The strategy was to identify people who were susceptible to racist propaganda and to bombard them with it until they voted leave. Now we are being told that we are supposed to respect these people, who were treated as mindless, meaningless lobby fodder by the leave campaign for so long, so I will have no lectures in respecting the people from anyone who has been in any way associated with what has to have been the dirtiest and most unprincipled, dishonest, unlawful campaign in recent history—and possibly the worst ever.

I saw a Minister trying to defend that yesterday by basically saying, “Yeah, but everybody knows that folk break the rules in elections.” What is that, coming from a Minister in the Government of what is supposed to be mother democracy to all others? “Yeah, we know that people cheat, lie and break the rules during elections, but just let them get on with it.” As long as we get a result, it doesn’t matter if the result has been achieved by fraud. As long as we get a result, things can carry on regardless.” No, things can no longer be allowed to carry on regardless, if it means that elections and referendums in these islands can be bought and sold by dodgy money from who knows what unspeakable sources.

**Stephen Gethins:** Like me, does my hon. Friend find it absolutely astonishing that those who have had a political lifetime to prepare for Brexit—two years in the most senior positions in Government—are trying to blame everybody else but themselves as the wheels come off the Brexit bus?

**Peter Grant:** I would find that astonishing, but I am sorry to say that I am getting used to it, because that is exactly what the hard Brexit campaign has been doing since the referendum was run. In fact, we have still not had a proper debate in this place about what exactly was the reason for Nigel Farage, even before the result was declared, conceding defeat and then changing his mind when the result was announced. It is possibly the only time in history that he has deliberately talked down his own chances of success. I wonder what that could have been about. We are not allowed to discuss that yet, but I sincerely hope that one day, we will be allowed to.

Let us get back to the question in hand: the relationship that the United Kingdom will have with the European Union. I say first that I want us to have a relationship, because after listening to the attitude expressed by many who have spoken from the Tory Benches over the last weeks and months, I wonder whether some of them want to have any kind of relationship at all. I wonder whether some of them still think that the relationship is the one that applied between the United Kingdom and some parts of Europe in the 1930s and 1940s, and whether some of them think that somehow Europe is a colony of the United Kingdom, just waiting to be brought back into the mother-fold. I do not want any part of that kind of relationship with Europe or anywhere else. I want to be part of a nation that regards all other nations on Earth as equally respected partners, that will stand up for its own rights alongside all of them, and that respects the rights of nations throughout the world to govern themselves.

**Luke Graham** (Ochil and South Perthshire) (Con): The hon. Gentleman is talking a lot about respecting other nations, but does he not find it slightly ironic that someone from a party that is based on dividing itself from the country that it currently exists in is then talking about respect for other nations?

**Peter Grant:** The House agreed unanimously two weeks ago that the people of Scotland were sovereign. It has unanimously and irrevocably abandoned any claim it ever had to the right to usurp the sovereign will of the people of Scotland. It would be bad enough hearing that kind of nonsense from a Member of Parliament with no understanding of Scotland, but to hear it from somebody who claims to represent part of Scotland is utterly ridiculous.
Peter Grant: I will explain once again. I cannot do it in words of one syllable, though, so I am afraid that the hon. Gentleman might need somebody to explain it to him. I respect the results of the referendum in all four nations of these islands. I respect the result of the referendum in England and Wales, but that respect is conditional on it being established that the result was not rigged. I respect the decision of the people of Scotland and demand that each and every MP in this Chamber respect it likewise. I also respect the decision of the people of Northern Ireland—they get left out of this far too often. Their decision was not for a soft border to be introduced, or for the border to be magically moved a few miles inland to avoid any infrastructure at the border. The people of Northern Ireland have voted overwhelmingly on two occasions now for no border controls or infrastructure between them and their southern neighbours, and no solution that the Government put forward that breaks that decision of the people of Northern Ireland can be tolerated or should ever even be contemplated.

In respecting the results of the referendum in our four nations, I want to see the Government put forward proposals that recognise that the biggest partner in this Union voted to leave but that two of the four equal partners voted to remain. Scotland voted to remain by a majority of 24 percentage points. That was the size of the gap. It was not a close-run thing; it was overwhelming. There was a remain majority in every count declaration area in the country.

None the less, we are told that the way in which we are to be dragged out of the EU will be dictated not by proper discussions, on equal terms, between Scotland’s Government and the UK Government and will be determined not by listening to the views of the MPs and MSPs elected to represent Scotland but by a minority of Members of a minority governing party who think that because they can shout the loudest they have the right to tell the Prime Minister what to do. I was disappointed that she caved in to the minority, instead of seeking to find consensus across Parliament.

Luke Graham: Will the hon. Gentleman give way?

Peter Grant: I will try once again, but I have my doubts.

Luke Graham: The hon. Gentleman is talking about minorities. The SNP is in a minority Administration in Edinburgh. It does not own Scotland and it cannot speak for all of Scotland. We are here—Liberal Democrat, Labour and Conservative MPs—speaking for our constituencies in Scotland. We want to remain part of the United Kingdom and my constituents will respect the votes of the United Kingdom.

Peter Grant: I would expect everyone in Scotland to respect the result of the Scottish general election in 2016, which returned a majority of MSPs who supported independence and a Government with a mandate that said that if Westminster did to Scotland exactly as it is doing now, it would be grounds to give the people of Scotland a chance to control their own fate.

Sir Hugo Swire: On a point of order, Madam Deputy Speaker. We have very little time for this important debate, and I suspect that at any stage you might limit our speeches, yet the debate seems to be turning into an internal, navel-gazing exercise by the SNP about what it has and has not achieved at Holyrood. Can we get back to the subject of the debate, which is the future relationship between the UK and the EU?

Madam Deputy Speaker (Dame Eleanor Laing): I understand the right hon. Gentleman’s point, but the hon. Member for Glenrothes (Peter Grant) is setting out the context of his remarks. What he says is, of course, not a matter for me, but if he exceeds the parameters of the debate, I will stop him and insist that he stay within them. At the moment, I think that he is erring a little but will soon come back to the main purpose of the debate. I am also certain that he, appreciating that a lot of people wish to speak and that his speech is not time limited, will not take an awful lot longer.

Peter Grant: Thank you, Madam Deputy Speaker. It goes without saying that I will at all times respect any judgments made by you and by any other occupant of the Chair.

I have said all along that I think that the people of England have made a catastrophic mistake, but sometimes democracy means that people must be allowed to make mistakes and then to sort them out. I rather think that the Government could have made a better fist of sorting out the mistake than they have over the last two years, but we shall see how that pans out.

Simon Hoare: Will the hon. Gentleman give way?

Peter Grant: No, I really cannot, given that one of the hon. Gentleman’s own colleagues has complained that I am going on for too long. I am sorry, but other Members want to speak.

In return for that, it is not at all unreasonable to ask that the Government who lead the negotiations should have proper regard to the fact that two of the four nations in this partnership of equals voted for a different result. Clearly we cannot have an arrangement whereby some parts of the United Kingdom are in the EU and some parts are not, but—with political will, with a willingness to be flexible, with a willingness to do the unprecedented because these are unprecedented times—there are ways in which the Government could present proposals to the EU that would come much closer to respecting the will of the people of Scotland and the will of the people of Northern Ireland than anything that they have been prepared to put forward in the past.

I do not accept the analysis of the hon. Member for Wycombe (Mr Baker), who is trying to tell us that there is a huge and building majority in the House for a hard Brexit, or a Brexit that respects the European Research Group’s eight red lines. These are the people who do not want us to tie the Prime Minister’s hands. They have put down eight red lines, and if she violates any one of them, she would face of vote of no confidence.

Mr Baker: Will the hon. Gentleman give way on that point?

Peter Grant: No. The hon. Gentleman spoke for long enough.

Mr Baker: Will he give way?
Peter Grant: No.

I accept that there are Members here who have a great love for their country, however they describe it, and who want their country to go in a different direction from the direction in which I want my country to go. However, I remind Members once again that this House no longer claims the right to dictate to the people of Scotland the direction in which our country will be taken. This House unanimously accepted a proposal. The Secretary of State for Scotland spoke in favour of it. No one spoke against it. The United Kingdom Parliament has never had the constitutional right to rule over the will and against the consent of the people of Scotland. What has changed in the last few weeks is that the United Kingdom Parliament has finally recognised that. What I am asking the Secretary of State to do, what I am asking the Minister to do, what I am asking the Government to do—

Luke Graham: On a point of order, Madam Deputy Speaker. The hon. Gentleman is misinterpreting the British constitution. There are Scottish Members of Parliament here, representing our constituencies and representing Scotland. The hon. Gentleman is suggesting that there is no sovereignty of this place over Scotland. While we still have MPs in this place, this place is sovereign. The hon. Gentleman is out of order, and he is not telling the truth to all the people who are in the Public Gallery today.

Madam Deputy Speaker (Dame Eleanor Laing): Order.

Luke Graham: I believe that the hon. Gentleman is misinterpreting the constitution in his oration.

Madam Deputy Speaker: I am grateful to the hon. Gentleman for correcting his language. “Misinterpretation” I can allow. Of course, the matter of sovereignty is subject to many interpretations—indeed, volumes have been written about it—and it is not for me to judge whose interpretation of the meaning of sovereignty is correct, but the hon. Member for Glenrothes (Peter Grant) is not out of order in what he is saying.

Peter Grant: Thank you, Madam Deputy Speaker. I am happy to refer the hon. Gentleman to the good reporters of Hansard, who, as we know, never make any mistakes when they record the decisions of this Parliament.

It was disappointing that the exchanges between the two main Front Benchers tended to go into the nitty-gritty of customs and trade. It may be understandable, because that is where the battle lines have been drawn recently, but our relationship with the European Union is fundamentally about people.

Once again, the Front Benchers have not spoken enough about the millions of people who are currently living in one another’s countries as a matter of right, and who are seriously concerned about what their future will be. They have not yet spoken about the fact that in a few weeks, many of our great universities will welcome further waves of ambitious, talented young people from Europe and from other parts of the world who will feel that they are coming to a place that is less welcoming than it was a few years ago. The Government can deny it, and the Minister can shake his head, but people from other European countries who live here believe that they are less welcome now than they were before. Racism has been emboldened since the referendum in a way that it was not before.

I accept—I have accepted it for a while—that there is very little that is likely to happen that will prevent Brexit from happening. I am still hopeful that it can happen in a way that respects the will of the peoples of the four nations. I want to live in a country that sees itself as an equal of all others. I want to live in a country that is not only attractive to workers, students and visitors from all around the globe, but that welcomes them all with open arms and open doors. I will continue to live in such a country. At some point in the not too distant future, a decision will be taken as to whether that country remains part of the Union represented in this Parliament.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order.

It will be obvious to the House that a great many people wish to speak and we have limited time. We will start with a time limit of 10 minutes.

5.40 pm

Mr Andrew Mitchell (Sutton Coldfield) (Con): I draw the attention of the House to my entry in the Register of Members’ Financial Interests.

I want to extend the warmest possible congratulations to the new Secretary of State on joining the Cabinet—I know he has had to pop out for a short while—and to salute the speech by my hon. Friend the Member for Haltemprice and Howden (Mr Davis) resigned; although not surprised, that my right hon. Friend the Member for Wycombe (Mr Baker). Whether one agrees or disagrees with him, he is clearly a man of integrity and principle. He worked incredibly hard in his Department.

This is the first contribution that I have made to any of the Brexit debates. It was 25 years ago that I was a Government Whip engaged in securing support for the Maastricht treaty, with Britain’s two opt-outs, so brilliantly negotiated by John Major. I learned from that experience the deep and fierce passions on Europe that are held by so many of my friends and colleagues across the House, and in particular on the Conservative Benches.

I have to say, in all honesty, that the position today is far worse in terms of internal conflict and disagreement than ever it was during the Maastricht era. Of course the divisions are not just within this side of the House; they run throughout our constituencies—mine was divided almost exactly 50:50—and between friends and family. They have led to a breakdown in collective responsibility in the Cabinet, with a consequent breakdown in normal party discipline far worse than anything we remotely saw during the parliamentary stages of Maastricht. This breakdown in relationships, these deep divisions in this place and outside, are going to be very difficult indeed to heal.

I come now to the White Paper. I was dismayed, although not surprised, that my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) resigned; dismayed because, despite some of the ludicrous, and at times mischievous, briefings he was subjected to, he was so clearly the right negotiator for Britain, with his business and European experience making him uniquely qualified for the task.

I have always felt throughout this process, as a Back-Bench Member of Parliament, that the best interests of my constituents are served by supporting the Executive.
in these very difficult negotiations: that the legislature—that is us—should give the Executive some leeway and the benefit of the doubt. That is not an enormously dissimilar approach to the way the 27 other stakeholders in the EU are more or less rowing in behind Monsieur Barnier. But in the end, particularly in a Parliament where there is no majority, and where therefore power has so self-evidently passed from the Cabinet room to the Floor of the House of Commons, it is we, the legislature, who will decide, and the House of Commons that will reach its verdict on the deal that the Executive negotiates. It is for that reason that the arguments for a meaningful vote are so essential and have had to prevail, as they have done, in the House.

Alex Chalk: My right hon. Friend makes an excellent point. Does he agree with the maxim of the former President of the United States, Lyndon Baines Johnson, that the first rule of politics is that its practitioners must be able to count? That is so important when we come to consider our debates over the coming weeks.

Mr Mitchell: That is a very true maxim, and one that is engraved on the walls of the Government Whips Office.

It seems to me that there are now really only two possible outcomes. The first is a deal based very largely on the Chequers settlement. Both my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) and my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) have honourably and eloquently voiced reservations and no one is going to be entirely satisfied with what has been produced, but the current Administration have basically bet the farm on the Chequers formula and will now have to repel all boarders, if I may mix my metaphors, whether from Brussels or from Somerset.

Many of us regret the Government’s decision to give in at the first whiff of grapeshot emanating from the west country earlier this week, precisely because giving in will make it more difficult to resist counter-pressure from other directions for change. It is extraordinarily unlikely that we will do better than the plan set out in the White Paper, but there ought to be enough in the broad Chequers outline for people of good will to work with and coalesce around.

Robert Neill: I entirely agree with what my right hon. Friend says. Does he recognise that that is also the sentiment of businesses in this country, from manufacturing through to the key financial services sector? Does he also agree that ultimately the Conservative party is a pragmatic party rather than a rigid one, and imperfect though any deal or proposal may be, it is worth going for?

Mr Mitchell: My hon. Friend makes a wise and sensible point.

I have just set out the first option. The alternative option, I believe, is no deal, and I fear it is as simple as that. If there is no deal, I am sure we will survive and all will be fine in 10 years’ time, but it will not be fine at the outset. No deal—at least at first—will threaten our levels of growth and risk the living standards and prospects of those we are sent here to represent. It risks endangering the opportunities we want to see for our constituents, not least the younger ones leaving education and entering the world of work. And it will be this Administration who will be blamed: whether people voted leave or remain, the Conservative party owns this process and will be held to account for no deal. In any event, the Government need now to increase massively their planning for this eventuality and, in my submission, to report to Parliament in detail on it when we return in the autumn.

I have one final point to make. There are those who, with great eloquence, advance the case for a second referendum, but I have come to the conclusion that while it is just possible that Parliament might wish to seek public endorsement of the deal itself, it is most unlikely. That is because if we held another referendum with a different result, why not have the best of three? We see ourselves as a serious country, we have settled the matter in a significant referendum, and for better or worse we are leaving.

Sir Hugo Swire: Could not my right hon. Friend cite as an example what happened over the Lisbon treaty and the Republic of Ireland, when its voters were invited to have a second referendum, but not until the EU had made it worth their while to vote in a different way? Does my right hon. Friend fear that that could happen here if we had a second referendum, and be very divisive?

Mr Mitchell: For the reasons I have set out, I think another referendum would be profoundly divisive, and actually it might not advance agreement in our country and bring people back together again.

The Government must now use the summer to advance the case that they all agreed at Chequers and move towards some specific agreement with the EU. It will then be for the Government to propose, but for this House to dispose.

5.48 pm

Hilary Benn (Leeds Central) (Lab): May I begin by apologising to you, Madam Deputy Speaker, to the Secretary of State and to the shadow Secretary of State for not being present at the start of the debate? As Mr Speaker was aware, I was questioning the Prime Minister as a member of the Liaison Committee on the subject we are debating now.

I listened to the speech by the hon. Member for Wycombe (Mr Baker) and respect the passion with which he advocates his position, although I profoundly disagree with it. I do, however, gently say to him that I think it is unfair to seek to blame civil servants for the situation in which we find ourselves as a nation when for two years they have had to watch the spectacle of Ministers, including Cabinet Ministers, openly arguing among themselves about the right course of action, and it was not until Chequers that the Prime Minister tried to bring them together.

Mr Baker: I did not mean to blame civil servants. I mean to blame the broadest governing class, the establishment, which is well represented in here and which clearly does not believe in leaving the European Union. I have paid tribute to civil servants over and over again. The people I have worked with have been the most outstanding professionals and I am proud to have worked with them.

Alex Chalk: My right hon. Friend makes an excellent point. Does he agree with the maxim of the former President of the United States, Lyndon Baines Johnson, that the first rule of politics is that its practitioners must be able to count? That is so important when we come to consider our debates over the coming weeks.
Hilary Benn: I am sure that those with whom the hon. Gentleman worked will appreciate that, but there are particular civil servants who appear to have been singled out for his criticism, which I think is unfair. When we hold elected office as Ministers—there are many in this Chamber who have had that experience—it is our responsibility to take decisions and to lead. If things go wrong, we cannot blame the people who support us in our work. That responsibility falls on our own head.

I also say to the hon. Gentleman, although this is a debate for another day, that the European Union is by no means perfect, and that we need to find a new balance in our relations between self-government and international co-operation rather than destroying it, because the challenges that we face as a world will absolutely require co-operation between nation states in order to solve them. This is about balance; it is not about destruction.

We have certainly arrived at a particular moment in the Brexit process. It would be churlish not to acknowledge what the Prime Minister did at Chequers to bring most of her Cabinet together, but whether we are any further forward in practice is debatable. The truth about the White Paper is that it is a political construct as much as it is an economic one. Just as the Prime Minister is hemmed in by the disagreements within her own party, so is her proposal hemmed in by the red lines that the Government have laid down. The question that arises is: if the proposal does not fly, where on earth is the Prime Minister going to go? There are two great questions, in the light of the White Paper. First, is the EU going to agree to what has been put forward? Secondly, is there a majority for it in the House of Commons?

The first question arises particularly in relation to the facilitated customs arrangement. Bluntly, will the European Union agree to let a third country—because that is what we will be when we have left—collect tariff revenues on its behalf? I have yet to be persuaded that it will agree to that.

My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) talked about bureaucracy, and about whether any such arrangement would be ready in time for the end of the transition period. There are many of us in the House who think that remaining in the customs union would be a much better way of achieving the frictionless trade that many of us want to see.

When I questioned the Prime Minister earlier, she indicated that the Government were hoping to get most of the arrangements for the facilitated customs arrangement in place in time for the end of the transition period, but the Minister will be aware that previous Ministers, when talking about its antecedents—its parents, if you like: the customs partnership and max fac—openly acknowledged that they would not be ready until some time after the transition period had come to an end. This is very novel, and it is untried, untested and not yet agreed, but if that proved to be the case, will the Minister tell us what would fill the gap?

Paul Masterton (East Renfrewshire) (Con): I understand the right hon. Gentleman’s concerns about the White Paper, and I share some of them, but I think that it is a deal worth fighting for. If the Prime Minister succeeds in getting the European Union to agree to this, is he seriously saying that the Labour party would vote down a deal that was good but not perfect, and walk through the Lobby with some of my hard-line Eurosceptic colleagues so that we would end up with no deal at all, given that we both know the economic consequences that that would have for this country? Will he accept the deal or not?

Hilary Benn: I will be delighted to answer the hon. Gentleman’s question when we have a deal—[Interruption] We do not have a deal. We have a proposal. It is an opening bid. The time for the House of Commons to make that judgment, as the right hon. Member for Sutton Coldfield (Mr Mitchell) said, will be when the House takes the final decision. At that time, the hon. Member for East Renfrewshire (Paul Masterton) will see what stance each individual Member takes.

Vicky Ford: Does not the right hon. Gentleman agree that in order to move the negotiations along it would be helpful if those on the other side of the negotiating table understood whether Labour Members were prepared to vote for a deal along the lines of the White Paper? By not answering the question posed by my hon. Friend the Member for East Renfrewshire (Paul Masterton), the right hon. Gentleman creates greater uncertainty for the negotiators.

Hilary Benn: I will not allow the hon. Lady to get away with putting the responsibility for the difficulties that the Government and the governing party are in, which are of their own making, on those of us on the other side of the House.

Owen Smith: Or are we the governing classes now?

Hilary Benn: I am not going to enter into that debate, either. The fundamental truth is that those in Brussels look at the chaos on the Government Benches, created by the efforts of Conservative Members of Parliament, and that weakens our ability to get a deal that is in the national interest. I do not know whether the hon. Member for Chelmsford (Vicky Ford) voted in favour of the customs union amendment yesterday.

Guy Opperman (Hexham) (Con): She asked you a question.

Hilary Benn: I answered it. I do not know how the hon. Lady voted yesterday, but the customs union amendment would have been a way of providing much greater certainty to those with whom we are negotiating.

On Northern Ireland, the White Paper basically says nothing more about the backstop, and the reason why we do not yet have a withdrawal agreement is that there is no backstop proposal. All the discussion about the facilitated customs arrangement and the political declaration is for later, because if we do not get a withdrawal agreement, we will not get on to that, and we will not get a withdrawal agreement until we have a backstop proposal from the Government. They produced one in June and said, “There’s a bit missing,” which related to the rules on regulation, so will the Minister say whether, now that the Government have embraced a common rulebook, they plan to apply that to the backstop? It would be helpful if we could understand that.

On services, I echo what my right hon. and learned Friend the Member for Holborn and St Pancras said. Free movement apart—I accept that issue—I do not
really understand why the Government have turned their back on a common rulebook for services, especially given what the Prime Minister said in her Mansion House speech about trying to maintain the same approach. On the free movement of people, we will obviously have to wait for the White Paper, but that is one of the single most important issues raised with the Exiting the European Union Committee by those who have given evidence.

The question of sovereignty goes to the heart of all of this, because the objection is that we are somehow going to enter into a state of vassalage—a word that I was not familiar with before it was uttered by the hon. Member for North East Somerset (Mr Rees-Mogg). However, the truth is that this country, which has never ceased to be sovereign, chooses to enter into agreements with other countries in which we agree to abide by the rules of the relevant organisation. That is true of the United Nations, it is true of the European convention on human rights, and it will be true of the WTO if we end up retaking our seat as an independent country. Are we really going to impale the future prospects of the British economy on red lines that arise from an utter state of dispute about the question of our sovereignty and how we need to exercise it?

The Prime Minister now needs to build a consensus, but she will not do so by giving in at the first rustle of incoming letters to the chair of the 1922 committee. I believe that there is a natural majority in the House for a sensible Brexit that ensures frictionless trade, protects the economy, keeps an open border in Northern Ireland and maintains sensible co-operation on defence, foreign policy, security, the fight against terrorism, consumer safety, scientific research, the exchange of data and broadcasting. Our task now is to enable that majority—there is no majority for no deal—to give expression to itself. The sooner the Government seek that out, the better it will be for the country’s future.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order. I must reduce the time limit to seven minutes.

5.59 pm

Sir William Cash (Stone) (Con): I am glad to follow the right hon. Member for Leeds Central (Hilary Benn) because he talked about sovereignty, although he rather distorted the focus of it, to put it bluntly, and I will explain why in a moment.

Brexit is ultimately about our democracy, our sovereignty and our self-government. All the other issues, including our right to free trade with the rest of the world, are subsidiary to the questions of sovereignty, self-government and democracy because they flow from them. This is the ultimate test. To get our sovereignty and our democracy, and to get it right, we must govern ourselves. I am deeply concerned about the White Paper and the Chequers settlement for that reason, and I will set out what I believe will be the practical outcome.

We have managed to achieve something quite remarkable, which is to turn the gold of democracy into the base metal of subservience—a new kind of alchemy. In other words, we have effectively turned leaving into not leaving in a whole range of areas, despite the repeal of the European Communities Act 1972 and despite the EU withdrawal Act itself, the promises made in the Conservative party manifesto and, of course, the result of the 2016 referendum.

The European Scrutiny Committee, of which I have the honour to be Chairman, unanimously criticised the Government a few months ago. We argued that they are supplicating themselves to the EU and accepting its guidelines, contrary to our lawful departure under article 50, which gives us the legal authority to leave under the treaties. That is a massive strategic mistake. We have summoned Mr Olly Robbins to appear before our Committee and, although the Prime Minister originally was not prepared to allow him to come, he will be appearing before the Committee—that was resolved this morning.

Sir William Cash: My hon. Friend is slightly missing the point. I am talking about the legal framework of the EU itself, which imposes on us a requirement, through the 1972 Act, to accept the rules. I will come on to that in a moment, because I believe that what is happening under the Chequers proposal and under the White Paper will, in many respects, make it worse than it is already.

The big picture is about why we had to leave the EU to regain our democracy. The decisions imposed on us through the 1972 Act—those decisions are imposed through the Council of Ministers—as my Committee exposed a few years ago, will in practice be continued under the common rulebook and will continue to be taken by a majority vote of the 27 without our being there. The Prime Minister even wrote a pamphlet about that in 2007 in which she said “Parliament is supposed to be Sovereign but in practice it is not.” That will be made even worse under the White Paper. We will have no voting rights, no blocking minority and a mere useless consultation.

The White Paper mirrors the EEA arrangements, which slavishly follow the decisions of the EU Council of Ministers. Furthermore, given that the Government will already have agreed to the international obligations it will have entered into, it is absurd to suggest that under the “threat of consequences” during the scrutiny process, the MPs appointed to a Committee run by the Whips would ever overturn the Government’s agreed rules. The manner in which the common rulebook will absorb European rules and European jurisdiction through the creation by the UK Government of international obligations binding of itself, with the deliberate connivance of the Government and the Whips, will predetermine the outcome of the parliamentary scrutiny when it reaches the Committee. In other words, it will fictionalise real sovereignty. This White Paper is a sovereignty car crash.
As for the European Court of Justice, the former president of the EFTA court—I have just put this to the Prime Minister in the Liaison Committee—clearly stated only a few days ago: “the UK would recognise that the European Court of Justice is supreme on the interpretation of EU law.”

He went on to say that under the independent arbitration we would agree “to refer questions to the ECJ”.

The White Paper itself concedes that the UK makes an “upfront choice to commit to ongoing harmonisation with the relevant EU rules and requirements”.

Thus, the ECJ will determine not only the interpretation, but the outcome of any disputes, so it will be calling the shots.

I wish briefly to turn to the issues of foreign policy and of Germany, which has been much underplayed for many, many years in this context. Of course we want to work with other neighbours in Europe—I have no problem with that. However, this problem, which has been with us for so many generations—over the past 20 or 30 years—has simply been ignored to far too great an extent. It is clear that Germany calls the shots, and everybody knows it. To see that we have only to look at what has been going on in Greece; what went on in Ireland when it had the crash; and what happened to Italy, whose EU Affairs Minister recently described the euro as “a German prison”.

The reality is that Germany tore up the Dublin regulation, which led to this incredible surge of refugees, some of which were justified and some of which certainly were not. We have seen how Germany broke the stability and growth pact with impunity, but ensured the manner in which it is applied to other European member states. The result has been that the people of Europe are voting with their feet, and it has also led to the rise of the far right, not only in Germany, but elsewhere. That is one of the things I have argued against ever since I first wrote about this in early 1990. Anyone who believes we could remain in the present EU, from which we have escaped in the nick of time, is simply living in cloud cuckoo land.

I wish to add something about those who would want to reverse this process, although I am not pointing the finger at anybody or any group of people in particular. I have heard of rats leaving a sinking ship but never of fingers at anybody or any group of people in particular. I really think that continued customs union membership has to be a negotiating objective of our future relationship with Europe and why the so-called facilitated customs arrangement—whether it be max fac, quite fac, relatively fac or not very fac at all—just really will not cut it.

Every day, trucks deliver £35 million-worth of parts to the UK. Most of those are then shipped back to the European Union. The whole industry relies on a delicate system of just-in-time delivery, with the ability to move parts and goods within the European Union quickly and efficiently and with costs kept to a minimum. Any barrier to that frictionless movement will result in delays at the border, additional customs bureaucracy and extra costs to business.

Just think about Operation Stack and about how quickly the roads to the channel ports got gridlocked when industrial action in France caused delays three years ago. It cost the freight industry £750,000 every single day. Just think about how quickly customs checks at our ports would cause the same kind of snarl-ups and about the millions that it would cost the automotive sector. I say to Members: do not just take that from me; listen to what the industry itself is saying. The Society of Motor Manufacturers and Traders issued this warning:

“Any customs model that fails to replicate the benefits of UK automotive’s current trading relationship with the EU is likely to create delays, disrupt highly efficient “just-in-time” manufacturing and undermine competitiveness.”

As its chief executive Mike Hawes said in May:

“Continuation of customs union membership is a minimum for the car industry.”

Just listen to the warning from Jaguar Land Rover, which said:

“a hard Brexit would cost £1.2 billion a year in trade tariffs and make it unprofitable to remain in the UK”.

Earlier this year, the Business, Energy and Industrial Strategy Committee warned:

“There are no advantages to be gained from Brexit for the automotive industry for the foreseeable future”.

Its warning must be taken seriously. It said that the most that we can hope for is “an exercise in damage limitation”.

Unfortunately, on current form, the Government are even falling short of that objective.

Richard Burden (Birmingham, Northfield) (Lab): I am grateful for the opportunity to say a few words in this debate, Mr Speaker. I wish to start by declaring an interest: I chair the all-party parliamentary motor group, which receives secretarial support from the Society of Motor Manufacturers and Traders, the Motorsports Industry Association and the RAC Foundation.

I want to say a few words about why the stakes are so high for that industry and sector in terms of getting our approach to Brexit right. That is not a narrow parliamentary debating point. It is not about which faction is on the up or on the way down in the Conservative party—or indeed in any other organisation. We are talking about the future of that sector in this country. It is a sector that brings in £77.5 billion every year in revenue and which makes up almost 10% of manufacturing output. It is an industry on which literally hundreds of thousands of jobs up and down the country depend. This is about the livelihoods of people in the west midlands and in other parts of the UK. It is about reality. I want to focus my remarks on why, despite the vote earlier this week, I really think that continued customs union membership has to be a negotiating objective of our future relationship with Europe and why the so-called facilitated customs arrangement—whether it be max fac, quite fac, relatively fac or not very fac at all—just really will not cut it.

Matt Western (Warwick and Leamington) (Lab): My hon. Friend makes a very important point. Specifically, does he share my frustration that there was not greater support from the Conservative Benches for new clause 18, which would give that default—the customs union—at the end of January 2019 to give that reassurance and safeguard to the industry?
Richard Burden: My hon. Friend is absolutely right. If there is one thing that business says time and again it is that it wants certainty. It is the idea that, even if one's objectives do not go quite right, one has something else there that can provide that certainty for the future. That “backstop” of customs union membership would have provided that much needed certainty.

How can we describe the Government’s approach in the long-awaited White Paper? Well, “courageous” is the term that Sir Humphrey Appleby probably would have used. Others may describe it as fantasy. Nowhere else is that more obvious than in relation to what it describes as the facilitated customs arrangement. If we read through it, we see gobbledegook explanations that are so opaque that they could have been written by Sir Humphrey himself.

Just look at how the White Paper suggests we deal with imports from third countries arriving in the EU for onward transfer to the UK and vice versa. The Government say that the EU’s customs approach will be “mirrored” at the same time as we will be imposing our own tariffs and customs arrangements elsewhere. As far as I can see, this is entirely reliant on a non-existent track and trace system to verify origin and tariff application, but until that technology exists, we will need to check everything meticulously at the border to apply different tariffs and different rules to different things. Put together, that means that the UK is taking on a huge bureaucratic and systematic burden for every single item imported to, or transferring through, our ports and slowing down the movement of goods in the process and causing the very friction that we always say that we want to avoid. But now, after the last couple of days in this Chamber, the Government have managed to twist themselves into even more knots by kowtowing to the Brexit fanatics on their own Back Benches. Doing so has made the White Paper’s proposals, problematic as they were, even more unworkable.

Of course, we know that the motivation of at least some Conservative Members is to create a proposal so chaotic and so unreasonable that we crash out with no deal and fulfil some sort of long-held Eurosceptic fantasy project. That is why I do not believe that the Government’s suggested approach will work. Far better and far simpler to remain in a customs union with the European Union so that trade between the EU and the UK can be truly frictionless; so that there really is simplicity and maximum facilitation of goods arriving from third countries, with one easily understood set of external tariffs; so that there is no hard border on the island of Ireland; and so that we can continue to benefit from the trade deals that the EU has with 68 other countries, without having to renegotiate them.

We could have made the resolution of this whole thing a lot simpler if the Prime Minister had not said that single market membership was a red line in the first place. Were it not for the chaos and the confusion that the Government have created, we could, by now, be an awful lot further on than we are. That is why I urge the Government, even at this late stage, to listen to the voices of industry when they say that the only reliable way to achieve the frictionless trade that we need is to remain in a customs union with the European Union.

6.16 pm

Mr John Baron (Basildon and Billericay) (Con): I want to address my remarks to the two core tenets of the EU: the customs union and the single market. I think there is a danger in this place, and perhaps in certain sections of the community outside, of taking the view that people did not know what they voted for when they voted to leave. Not only is that incorrect, but it can come across as very patronising and condescending.

I think we know what people voted for. The twin tenets of the EU are the single market and the customs union. If that point needs to be reinforced, we have only to look at the two manifestos of the two main political parties at the last general election. They confirmed that we would be leaving the customs union and the single market, and 80% of the electorate voted knowing that to be the case. I take exception to the view that somehow the British electorate did not know what they were voting for. It is particularly important to say that, because I believe that if this Parliament does not accept the will of the British people, we risk pushing the mainstream to the edges of the political spectrum. That would not be a healthy development for democracy in this country.

Peter Grant: Does the hon. Gentleman not accept that the information that the Government sent out before the referendum was that even in the event of a leave vote, their intention was to remain in the single market? Is it not also the case that the Government won a majority on a manifesto that said they would stay in the single market, and then lost that majority on a manifesto that said they would leave it?

Mr Baron: I think it is quite straightforward. We had a referendum on the question of whether people wanted to stay or leave. The decision was to leave, and the political parties woke up to that fact and put that decision at the heart of their manifestos, on which we then went to the country. I remind the House that it is there in black and white in both manifestos: we will leave the customs union, and we will leave the single market. My concern about the Chequers agreement is that having gone to the country on that basis, there seems to be a bit of a fudge that needs explaining by the Government.

Let us take the common rulebook and the customs union. It is no accident that the EU has had a problem negotiating free trade deals with countries outside the EU. It does not have a free trade deal with the US, with Australia or with New Zealand. It struggles on emerging markets—big economies like Brazil, India and China. The reason for that, in large part, is that it has protectionist non-tariff barriers that a lot of countries cannot abide. If we incorporate those protectionist non-tariff barriers into our own regulations, that will make our task of negotiating trade deals that much more difficult. It will therefore take away from us one of the key upsides of Brexit, which is to negotiate our own trade deals.

We all have our own views of President Trump, but one thing that he was very direct about, stating the blindingly obvious, was that if one incorporates protectionist non-tariff barriers as part of one’s own regulations, it will—surprise, surprise—be more difficult to negotiate trade deals. That is why there is concern among Conservative Members about the common rulebook. If we incorporate those rules, it makes trade deals more difficult.

Wera Hobhouse: Is that not exactly what President Trump is currently doing—building trade barriers, because he is putting up tariffs?
Mr Baron: There are pluses and minuses with President Trump, perhaps, but I think he is trying to be a very good friend of the UK. Unlike President Obama, who said that the UK would be at the back of the queue, it is quite clear that President Trump does want to do some form of trade deal with the UK. He is stating the obvious when he says that incorporating protectionist non-tariff barriers is going to make trade deals much more difficult.

Let me move on to freedom of movement. The SNP spokesman said that racism is on the rise in this country. There is a sort of implication that if somebody voted to leave, they were somehow anti-immigration. That is completely wrong. Under the current immigration policy, because we are members of the EU we discriminate against people wishing to come to this country from outside the EU. We cannot say no to immigrants from Europe or from the EU, but we have to say no to immigrants coming in from outside the EU. That, in any language, is discriminatory. One of the main benefits of Brexit will be that we will be able to forge an immigration policy that will be not only controlled but fair—it will not discriminate on the basis of nationality as the current policy does.

On the second big idea, we are being told that with a mobility framework, freedom of movement will end. However, I worry slightly that it is not being clearly explained how a mobility framework will be any different from freedom of movement. That needs fleshing out by the Government. If I know anything about my constituents and constituents across the country who voted for Brexit, we want a controlled but fair immigration system, and the Government need to better explain how the mobility framework is going to deliver that. Without that explanation, I think they are going to struggle in selling this package to the country, because we no longer want an immigration system that discriminates against the rest of the world.

I want to make a final point about leaving on WTO terms. There has been a little bit of nonsense spoken about this issue. There have been too many lawyers in this debate and not enough businesspeople. Whoever has been exposed to business will know that one can have frictionless supply chains crossing customs arrangements. It happens right across the globe, particularly in the far east.

Wera Hobhouse rose—

Mr Baron: No, I have taken one intervention from the hon. Lady and I am not going to take another. I have taken my two.

There are these arrangements right across the globe, and they are not a hindrance to trade. We trade profitably with many countries outside the EU on such terms, and that trade is prospering. Those countries are often faster growing than the EU.

The idea that we must protect the supply chains and that leaving on WTO terms would disrupt them is utter nonsense. Look around the world and at the far east in particular, where a number of complex supply chains cross customs arrangements without any friction. A particular example of that is Japan, which has outsourced much of its manufacturing capability to countries such as China because of the strength of its yen. The bottom line is that that has made for good trade and actually it has helped to lower costs.

If we ignore the wishes of the British electorate as expressed at the referendum, I really do worry that we will push the mainstream in this country towards the extremes of the political spectrum, because people will have lost faith in this place to deliver what they clearly believe they voted for, which is to leave the EU, and that meant leaving the customs union and the single market. Anything less than that will be seen as a betrayal by the British electorate.

6.26 pm

Tom Brake (Carshalton and Wallington) (LD): I welcome the Secretary of State to his new role—we wish him the best of British. He will know that my views and his diverge as much as is possible on this subject. Although I could point out that my views are closer to those of his constituents than his are, perhaps he can point out that his views are slightly closer to those of my constituents than mine are—such is the way things are working on Brexit.

I am confused by the contribution of the hon. Member for Basildon and Billericay (Mr Baron). There are clearly constituencies where every single person who spoke to him was raising the single market and customs union in the run-up to the EU referendum, whereas in my constituency every single person talking to me was speaking about immigration. I cannot recall someone saying during the referendum campaign, “I want to be out of the single market and customs union.” May I point out that if the European Union does not currently have a trade deal with India, that is because of our then Home Secretary—now our Prime Minister—rejecting the trade deal because it would have required issuing visas to Indians? He needs to look more carefully at some of the reasons why such things have not happened.

The hon. Gentleman will be aware that the number of migrants to the UK went up in 2017 compared with 2016 because there was growth in non-EU migration, which is something he omitted to point out in his comments.

Mr Baron: Does the right hon. Gentleman accept that the practical effect of the immigration policy we are pursuing is to discriminate against countries outside the EU?

Tom Brake: I agree that there is clearly a difference between the treatment of EU citizens and migrants from outside the European Union, but the number of non-EU migrants has gone up, which has more than compensated for the numbers of EU citizens coming to the United Kingdom. I assume he welcomes that.

I see the hon. Member for Bromley and Chislehurst (Robert Neill) is back in his place. The Conservative party was a pragmatic party, but I am afraid to say it is clearly no longer such. It is now very much a party driven by ideology. I suspect that is why he is as uncomfortable with it as he is.

Robert Neill: Perhaps the right hon. Gentleman would like to consider this: at least virtually the totality of the Conservative party was here to take part in the debate, which cannot be said about other parties. Will he also bear in mind that what matters to both his constituents and mine, in areas heavily dependent on the City and financial services, is that we ensure security of access to
[Robert Neill]

the best available talent and, above all, a form of regulatory alignment that goes beyond the proposals in the White Paper? They are a starting point, and I support the White Paper, but we need to go further to give the City the ability to bring in the billions of pounds of tax revenue that subsidise the public services of everyone in this country, including leave voters as well as remain voters.

Tom Brake: I am very happy to say that I agree entirely with the point the hon. Gentleman has made. We need to make sure that the City can continue to operate and that we are able to attract the skills we need.

The subject of this debate is the future relationship between the UK and the EU. I am very clear, and this will not be a surprise to anybody, that I would like us to stay in the European Union. I believe that that is still going to be possible, but for it to happen people will clearly have to vote for it in a final say on the deal. How do we get to a final say on the deal?

The first thing we need is for article 50 to be extended. I know the Prime Minister has said on a couple of occasions that that is not going to happen, but the likelihood of securing any sort of deal before March 2019 is for the birds. It is simply not going to happen, so an extension will be required. An extension would be needed to enable the legislation required for a final say on the deal to be passed, as well as to enable such a campaign the votes at the end of it. I think it is perfectly possible that the EU may be about to offer to extend article 50, or the UK could of course seek to do it.

The other thing that is clearly required if there is to be a final say on the deal and a people’s vote is to take place is that a majority—I would say a clear majority—of people have to vote to stay in the European Union. At the point that such an election campaign took place, there would in reality be only two options: either voting for whatever deal the Government had secured, which I suspect would probably be no deal at all; or voting to stay in the European Union.

Why would people vote to stay in the EU? First, there is Trump. Frankly, if Trump is our friend, then who needs enemies? Trump has made the world a more dangerous place. In my view, he cannot be counted on to provide security. We and, yes, others in the European Union will have to step up to the plate to do that, but I do not think he can be counted on to do so.

We need to develop an offer that appeals not just to remainers, but to those who voted to leave. That will require some movement on the question of freedom of movement. I am sure that Members are aware that the issue of migration within the EU is a really big challenge for its members. At the European Council a couple of weeks ago, that was what they were worried about. Frankly, they were worried not about Brexit, but about migration within the European Union. They are very focused on that, and progress on it might be possible.

We also need to be able to demonstrate that the UK would be an active member of the EU and fighting to reform it, so that it would not simply be the EU carrying on as it was, but an EU subject to change. Of course, we would need to sell much more effectively than we have ever done before the advantages of EU membership.

The Government sometimes try to claim the credit for things that the EU have done. Most recently, for instance, they have done so in relation to strengthening the rights of millions of British citizens who take package holidays or book linked travel. Our Government have claimed credit for something that the European Union had actually done. When the EU does things that are positive, we need to make sure that we talk about them.

The other thing we need to do is to set out the impact of voting for the Government’s deal. I am afraid that what the Government are offering as a result of the Chequers statement is no deal. Notwithstanding the point made by the hon. Member for Wycombe (Mr Baker), I am afraid that it is very clear that the purpose and objective of ER G members is to leave us in a position where we have no deal. That is what they are trying to achieve, and that was the purpose of their amendments, which comprehensively trashed the Chequers statement. I am afraid to say that the Prime Minister is so weak that she had no alternative but to walk into their trap.

What does no deal mean? Some Members seem to think that no deal would be a temporary aberration that would cause us a few problems for a couple of weeks, but that is clearly not the view of the port of Dover and Airbus or, for instance, of people concerned about medicines coming into the UK, their availability and how quickly they come to market. No deal will not cause problems just for a few weeks or so. I suspect that it will mean five years of difficulties for the United Kingdom.

One thing we will not do is allow the Brexiters to say that this is the European Union’s fault—the hon. Member for Wycombe made this very clear. The Brexiters claimed that this would be a straightforward process that would all be over and done with overnight. They said that it should be very simple, and that trade deals would be struck with a landmass 10 times the size of the European Union, which would, of course, probably need to include a few planets as well, as that is not physically possible. They made that claim. They pretended that it was going to be straightforward. If we end up in a no-deal scenario, a catastrophe for the United Kingdom, that is their fault and we will not let them get away with it.

To adapt the words of the outgoing Foreign Secretary, it is not too late in my view to save the United Kingdom. We can provide the people with a way out of this ideological folly. I am not too scared to test the will of the people and I am not too scared to be bound by the result. Why are Ministers?

Several hon. Members rose—

Mr Speaker: Order. I would like to accommodate a further two Back-Bench speakers, but that will require a generosity of spirit on the part of the right hon. Member for East Devon (Sir Hugo Swire), who I shall call next, and that is up to him.

6.36 pm

Sir Hugo Swire (East Devon) (Con): We can all quibble about how this whole process has been handled, from the perhaps premature triggering of article 50 through to the backstop arrangements and how much we will pay the EU. Indeed, some of us have continuing concerns about the continuing reach of the European Court of Justice—
Mr Speaker: Order. My apologies, I should have formally announced the five-minute limit.

Sir Hugo Swire: Thank you, Mr Speaker.

We are where we are, and this White Paper is the first time, in all fairness, that those with whom we seek to negotiate will have some idea of what we seek to negotiate. That is important in itself. We need to learn the art of compromise. We did not get a clear indication one way or the other either in this House or in the country, and we should now compromise and do what is it the best interests of the British people. It seems to me that this is the best we have so far.

The most important thing to me is business certainty. This country has had an extraordinary record of inward investment, and that is a climate that we have unfortunately begun to damage through all these deliberations over where we are now heading. We have heard perhaps too much from the big businesses and multinationals, all of whom employ huge organisations or have people to represent them, such as the CBI. We heard very little from small businesses. Those are the businesses of our constituents. This is often forgotten, but there are only 2,000 plus FTSE 100 companies; 0.3% of UK business, employing 2.6 million people and providing 8% of the workforce. There are 4.8 million family-run businesses in this country, and they make up 87% of all UK private sector businesses —5% are manufacturing firms, and 19% are construction firms. They employ 12.2 million people, 38% of the 32.2 million UK workers. That is 46.5% of UK private sector employment in these smaller, often family-run companies. They generated £149 billion in tax in 2016. These are the companies that we seek to protect. These are the companies that need to grow. These are the companies we need to enshrine in a framework with the EU that ensures they can continue to prosper. They are the lifeline of the economy and the lifeblood of our constituencies.

I shall end soon, Mr Speaker, but let me just say that those who seek a second referendum basically want to introduce a new range of questions and to overturn what the British people decided the first time. We saw second referendums in Denmark on Maastricht and in Ireland on the Nice treaty. In 2008, the first time that Ireland was invited to reflect on the Lisbon treaty, 53.4% rejected it, versus 46.6%. Lo and behold, a year later, after negotiations with the EU, the Irish people were invited to vote again and voted in favour. You know what? They were told at the time that they did not understand the question. They were told that it was too complicated for the people—the same accusations that people make in a very condescending way against those people who voted to leave. I voted to remain, but the difference is that I abide by the wishes of the British people—I do not question them, as the right hon. Member for Wycombe (Mr Baker), who is now not in his place, threatening in effect his Front Benchers—the governing classes, as he put it, by which I think he was coyly referring to the Prime Minister, the Chancellor and other people advising the Conservative party.

Those threats have been heard in the country and they have revealed, as other speeches have today, that some of the Brexiteers have always wanted sovereignty to absolutely trump security or prosperity. They have always wanted an isolated, independent Britain. They have wanted to row back to a fantastical past that cannot deliver in the modern era. We in the Opposition have to acknowledge that, and that the scale of risk that the country faces is grave. The Prime Minister’s White Paper was a brave attempt to try to recognise that, and to at least acknowledge that an integrated, involved relationship with the European Union is not only necessary but inevitable. There are over 100 references in the White Paper to common rules, common partnerships, common objectives, the common rulebook—just about every page is littered with such examples, which is precisely why it sparked the neuralgia on the European Research Group Benches, and precisely why we have effectively seen the coup of the last week and the capitulation of the Front Benchers to the ERG.

We must realise how grave the risks are, because we are now blithely talking about an exit on World Trade Organisation terms, as though that is something that we can countenance in this House. We cannot. The risks are enormous. Calculate what it would cost our country in extra borrowing, which is something that the Tories used to bang on about endlessly when I first came into the House. “You are hanging debt around the neck of future generations,” is what we used to hear from George Osborne and David Cameron. The reality is that the hit that the country will take—the extra borrowing that we will require as a result of the hole in our public finances—if we pursue the Chequers model is around £40 billion per annum in the long run, at 15 years out. We will not, unfortunately, get to a good place in 10 years, as one hon. Member said. The Government’s own analysis says that we will be £40 billion worse off.

What happens if we pursue WTO terms—if we take the no-deal option that is now being openly, terrifyingly advocated by so many on the Tory Benches? We heard earlier that there is ostensibly now a majority among the ERG group for that, and much more than the 40 that we heard from the hon. Member for Wycombe would vote for it. According to the Government’s analysis, the impact would be a 7.7% reduction in our GDP. That equates to about £150 billion less per year. It is more than we spend on the NHS. We are talking as though we are about to throw away the entire annual expenditure of the NHS to satisfy the fantasies of the hon. Member for Stone (Sir William Cash) and others, who have been banging on about this not just in the past few years, but for 30 years.
Luke Graham: The hon. Gentleman is making a lot of criticism of the Conservative party, but does he accept that there have been over 100 resignations on the Labour side of the House, and that the customs union amendment failed because Labour Members voted with the Government? It is fine to criticise, but he is wrong to say that this is just a Conservative problem; it is right across the House.

Owen Smith: I am criticising, in large measure, a small part of the Conservative party that is currently holding the Treasury Bench to ransom, but I would absolutely condemn the actions of Labour Members who failed to support the amendments this week and so allowed the Tories not to put in place some of the backstops that would mitigate the gravest risks we face—the risks of capital flight, job losses and massive borrowing being hung around the necks of our children; the risk to our manufacturing industry; the risk that our pharmaceutical industry, in which I worked for many years, will be unable to supply medicines; the risk of losing prosperity and security; and the risks in Northern Ireland. How can we countenance allowing any return to violence, which the Chief Constable of the Police Service of Northern Ireland warned would be the consequence of a hard Brexit? How can we countenance being so reckless as to allow that to happen?

We have to fight this at every turn. I hope that my right hon. and hon. Friends on the Front Bench will listen and understand that there is no such thing as a good Brexit or a “jobs first” Brexit. We have to acknowledge that there is just the hard Brexit now being proposed by Members opposite. We have to stand up for the only way in which we can reconsider this—a people’s vote. Trust democracy, trust the people, and ask them to choose between this sovereignty fantasy and the reality, towards a customs settlement and a regulatory framework demanded by business—a point made by my right hon. Friend the Member for Birmingham, Northfield (Richard Burden)—and also necessary to resolve the issue of the Northern Ireland border.

It does not have to be like this. The Prime Minister was right at Mansion House to say we had to face up to hard facts, but that meant facing down those in her party who put their ideological hostility to the EU before the interests of the country. If she had faced up to the facts two years ago—if she had said then that the country had voted to leave the EU but by a painfully close margin, and that it was a decision to depart but not to destroy our economy, and if she had said that we would leave the EU but remain in a customs union and close to the single market and the members of the agencies and partnerships we had built together—she could have secured a clear majority in this House and built a consensus in the country, which had been so bitterly divided by the referendum.

But she did not. Instead, she handed a veto to the European Research Group—the people who have sought to undermine not just herself at every step but every one of her predecessors. They are, as John Major commented recently, even more hard-line than those he faced. They are less than 10% of this House but are calling the shots. The tail is wagging the dog. They are demanding the red lines that have held us back—no single market, no customs union, no European Court of Justice, no agencies. To be fair to the Prime Minister, she put that proposition to the British people in last June’s general election. She sought a mandate for an extreme Brexit, but she did not get it. She went into that election with a majority and came out without one.

I remind the hon. Member for Basildon and Billericay (Mr Baron), who sought to misquote our manifesto, as others have done, that at that election we said:

“We will scrap the Conservatives’ Brexit White Paper”—as we would this one—

“and replace it with fresh negotiating priorities that have a strong emphasis on retaining the benefits of the Single Market and the Customs Union—which are essential for maintaining industries, jobs and businesses”.

Mr Baron: Will the hon. Gentleman give way?

Paul Blomfield: I will not, because I have answered the hon. Gentleman’s points and we cannot get into a detailed exchange.

The result of the Prime Minister’s approach has been paralysis, not simply on Brexit but on the other crises facing our country. The Government have neither the authority to deal with Brexit nor the ability to tackle the issues that led to it. There has been a dawning realisation from the Prime Minister that those early red lines were a mistake, but each time she tries to step over them, she has been hauled back by the extremists within her party.

At Chequers, it did seem that the Prime Minister was beginning to face up to the hard facts—to break free from the icy grip of the European Research Group. Not far enough, not soon enough, but tentative steps towards reality, towards a customs settlement and a regulatory alignment demanded by business—a point made by my hon. Friend the Member for Birmingham, Northfield (Richard Burden)—and also necessary to resolve the issue of the Northern Ireland border.

Of course, the former Brexit Secretary was right when he endorsed Donald Trump’s view that the plan would “kill” the prospect of a US-UK deal; and of course, it was just a starting point, not the end point of negotiations. It would inevitably involve further movement by the Government. Knowing that, the ERG tore it to shreds, and Monday night’s debate was the last nail in the coffin. Rather than defeat the amendments—as they could have, overwhelmingly—the Government rolled over and accepted wrecking amendments that left their White Paper dead in the water. The Minister shakes his head, but if there was any doubt about its death, the hon. Member for Wycombe (Mr Baker) laid it to rest today in what was, frankly, a chilling contribution.

While the Prime Minister turns on those in her own party who would welcome the Chequers plan, threatening them, she embraces those who would destroy her, and she continues to bring them into the Government. Having resigned, the hon. Member for Wycombe was succeeded as a Brexit Minister by his predecessor as chair of the ERG, the hon. Member for Daventry (Chris Heaton-Harris)—who, of course, joins another
former chair, the hon. Member for Fareham (Suella Braverman). It is beginning to look as if there is a secondment scheme going on between the ERG and the Brexit ministerial team.

Sir William Cash: Will the hon. Gentleman give way?

Paul Blomfield: No, I will not; I have not the time. I would love to, but I have not the time.

As I say, it is beginning to look as if there is a secondment scheme. So we may yet see the hon. Member for North East Somerset (Mr Rees-Mogg) make his way down to the Front Bench—or perhaps he thinks he has more power where he is.

Sixteen months into the negotiations, the White Paper says that the Government will now “charge the UK’s negotiating team to engage with the EU’s at pace”. The time for “pace” was long ago, but better late than never. It is 16 months since the House set the clock ticking, and in three months we need to resolve the deal. Whatever the polls say now, the public will not thank politicians who deliver a damaging Brexit based on false promises.

Without the threats and bullying that Members faced last night, there was a majority across the House in favour of a sensible approach—one that respects the referendum result, one that protects our constituents’ jobs and livelihoods. If the Government are not willing or are not able to deliver that sensible result, in the months ahead it will be the duty of this House to step in.

6.52 pm

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): It is a pleasure to follow the hon. Member for Sheffield Central (Paul Blomfield). He talked about what people had been saying two years ago; of course, the leader of his own party was saying two years ago that we should just trigger article 50 and damn the consequences, and we should not worry about planning and preparing.

The White Paper sets out the right Brexit deal—which will deliver on the result of the referendum, and take back control over our money, laws and borders—and makes detailed proposals for a principled and pragmatic Brexit. I thank Members on both sides of the House for their contributions today, and for the many congratulations to my new Secretary of State, to which I add my own. I pay tribute to my hon. Friend the Member for Wokingham (Mr Baker). He will not be surprised that I disagree with much of his analysis, but I recognise his dedication and his passion for this subject. I thank him for his work in our Department, and for his constant courtesy to all our officials.

My right hon. Friend the Member for Sutton Coldfield (Mr Mitchell)—who notified me that, unfortunately, he would have to leave early—spoke about deep divisions on the referendum, but also about the need for people of good will to work together and come together to deliver a successful outcome. I have always believed in that, and it is exactly what we must do in relation to the constructive proposals in the White Paper.

I listened carefully to the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). Both he and the hon. Member for Pontypridd (Owen Smith) included colourful political commentaries in their speeches, but I think that, coming from a party that has experienced 103 Front-Bench resignations, those should be taken with a pinch of salt. He actually had very little to say about the topic of this debate. What he said about the White Paper was based on taking snippets out of context, which I do not think is a helpful or constructive way to debate.

We talked about the proposal for a free trade area in goods. This would be enabled by a common rulebook for goods, including agri-food; participation in EU agencies that provide authorisation for goods in highly regulated sectors; and the phased introduction of a new facilitated customs arrangement. The arrangement would remove the need for customs checks and controls between the UK and the EU as if they were a combined customs territory, enabling the UK to control its own tariffs to trade with the rest of the world and ensure that businesses pay the right tariff or no tariff. Put simply, it means neither the UK nor the EU imposing tariff barriers on one another that do not exist today.

The hon. Member for Birmingham, Northfield (Richard Burden) spoke passionately about the automotive sector. I believe this is an approach that many in the automotive sector, including those I met over lunch today from Bosch, actually welcome and support. They have said that they would want to get a good hearing in EU member states. In combination with no tariffs on any goods moving between the UK and the EU, these arrangements will avoid new friction at the border and protect integrated supply chains that span both territories. We have heard from a wide range of international and multinational businesses that they would support that approach, but, crucially, as my right hon. Friend the Member for East Devon (Sir Hugo Swire) said, it is one that would deliver for many UK small and medium-sized enterprises that are part of the supply chains. We should never forget the importance of those SMEs.

We heard concerns from Government Members about the common rulebook and parliamentary sovereignty. The UK has played a crucial role in shaping the rules over the past 40 years. They do not change very regularly. They are relatively stable and are supported by a large share of our manufacturing, agricultural and farming businesses.

Sir William Cash: Will the Minister give way?

Mr Walker: I cannot. I am afraid I do not have the time to give way.

High standards in food and product safety are something all our constituents value. As we saw around debates on the TTIP negotiations, our constituents are unlikely to want any trade deal or arrangement that lowers standards. As my hon. Friend the Member for Basildon and Billericay (Mr Baron) pointed out, both the Government and Opposition parties were elected on a promise that we would be able to strike international trade deals. That is a very important point. Our proposals, unlike those from the Opposition, will allow the UK to negotiate new international trade agreements in line with our priorities and interests, including on goods, services and investment. This could include arrangements with the United States, Australia and New Zealand. The UK will explore accession to the comprehensive and progressive agreement on the Trans-Pacific Partnership, consistent with our future relationship with the EU and domestic
priorities. In that context, my right hon. Friend the Trade Secretary recently announced the first public consultations on our future trade agreement negotiations with global partners, which we were not able to do in the TTIP context because that was a negotiation conducted on our behalf by the European Union. I sat on the Business, Innovation and Skills Committee with the hon. Member for Sheffield Central when we scrutinised those proposals at one remove.

I have talked a little about goods. I want to address the important point on services raised by my hon. Friend the Member for Bromley and Chislehurst (Robert Neill). We want a comprehensive but different deal on services and digital, which allows us to exercise greater regulatory freedom in an area where the UK is a world leader. This will not involve adopting a common rulebook for services, as proposed for goods. Instead, we are seeking an ambitious deal for services, which will, among other things, minimise new trade barriers to service provision, allow UK firms to establish in the EU and cover mutual recognition of professional qualifications. On financial services, we are proposing a new economic and regulatory partnership in financial services. That makes sense because, unlike goods, services are not affected by frictions at the border. They are not subject to tariffs or customs. Unlike the vast majority of manufactured goods and agri-food products, most services are not subject to specific standards and regulatory frameworks. The UK is a world leader in services and in the regulation of services. I suspect we will continue to be so.

The Government’s proposals deliver a balance—the right hon. Member for Leeds Central (Hilary Benn) called for a balance—that respects the result of the referendum and the decision of the UK public to take back control of the UK’s laws, borders and money, while supporting growth and maintaining security co-operation. Importantly, they safeguard the constitutional and economic integrity of the UK while reclaiming the UK’s sovereignty. They protect our economic interests, supporting supply chains and jobs all over the UK, and delivering global opportunities for trade.

The UK will leave the European Union in March. The proposals in the White Paper mean that as we leave we will be a close friend, ally and partner of the EU and a major market for it. Our economy will continue to be strong.

Question put and agreed to.

Resolved,

That this House has considered the future relationship between the United Kingdom and the European Union.

Business without Debate

EUROPEAN STATUTORY INSTRUMENTS COMMITTEE (MEMBERSHIP)

Ordered,

That Kirsty Blackman, Nic Dakin, Mr Philip Dunne, Sir David Evennett, Ms Angela Eagle, Vicky Ford, Patrick Grady, Trudy Harrison, Julia Lopez, Ian C Lucas, Sir Patrick McLoughlin, Bridget Phillipson, Mary Robinson, Andrew Selous, Jo Stevens and Liz Twist be members of the European Statutory Instruments Committee. — (Mims Davies.)

BUSINESS OF THE HOUSE (19 JULY)

Ordered,

That, at the sitting of the House on Thursday 19 July, the Speaker shall not adjourn the House until he has reported the Royal Assent to any Act agreed upon by both Houses. — (Mims Davies.)

SITTINGS IN WESTMINSTER HALL (4 SEPTEMBER)

Ordered,

That, notwithstanding the provisions of Standing Order No 10(2)(b), the sitting in Westminster Hall on Tuesday 4 September shall begin at 11.30 am, shall be suspended from 1.30 pm to 4.30 pm and may then continue for up to a further three hours.—(Mims Davies.)

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

INTERNATIONAL DEVELOPMENT

That the draft International Fund for Agricultural Development (Eleventh Replenishment) Order 2018, which was laid before this House on 20 June, be approved. — (Mims Davies.)

Question agreed to.

[Interuption.]

Mr Speaker: I can tell that these matters are of intense and consuming interest to the right hon. Member for Leeds Central (Hilary Benn) and the hon. Member for Pontypridd (Owen Smith). Their interest can scarcely be overstated in this important matter.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

PUBLIC PROCUREMENT

That the draft Single Source Contract (Amendment) Regulations 2018, which were laid before this House on 4 June, be approved.—(Mims Davies.)

Question agreed to.

Mr Speaker: And finally in this sequence—colleagues bear with me; members of the public do not be too bored—we come to motion 10 on energy.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ENERGY

That the draft Oil and Gas Authority (Offshore Petroleum) (Disclosure of Protected Material after Specified Period) Regulations 2018, which were laid before this House on 13 June, be approved.—(Mims Davies.)

Question agreed to.

PETITIONS

Welsh Performers List

7.1 pm

Susan Elan Jones (Clwyd South) (Lab): I rise to present a petition of residents of Hanmer and Bettisfield in the Clwyd South constituency.

The petition states:

The petitioner requests that the House of Commons urges the Government to legislate in order to ensure that a GP may work in any part of the UK, further to allowing...“English” GPs to work in Welsh GP practices without being included on the Welsh Practitioners List.
Dr Roberta Blackman-Woods (St Austell and Newquay) (Con): I rise to present two petitions. The first is on behalf of my constituents who wish to have better consultation with the home education community; significant consultation with local authorities and no consultation whatsoever with the home education community; and further to allowing “English” GPs to work in Welsh GP practices without being included on the Welsh Practitioners List.

And the petitioners remain, etc.]

Home Education: draft guidance and consultation

7.2 pm

Steve Double (St Austell and Newquay) (Con): I rise to present a petition on behalf of parents in my constituency who home-educate their children. My constituents feel that, while the views of local authorities have been sought in issuing the guidance, the views of those most directly involved—the parents—have not been sought.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

Following is the full text of the petition:

[The petition of residents of St Austell and Newquay constituency.
Declares that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.]

Leasehold Terms in Chase Park, Sherburn Village

7.4 pm

Dr Blackman-Woods: I present this petition on behalf of my constituents, and in particular of the petition co-ordinator, Mr Steve Wrathmall.

The petition of residents of the United Kingdom, Declares that the terms and conditions associated with the lease extensions of leasehold property on the Chase Park Estate, Sherburn village, Durham, are unfair; and further that the current terms and conditions make it difficult to afford a lease extension and to sell or purchase the respective leasehold properties.

The petitioners therefore request that the House of Commons urges the Government to call on the current administrators of the leases on the Chase Park Estate to provide fair evaluation for the cost of lease extension, and to provide fair ground rent terms after the extension of a lease.

Liane Singleton

7.5 pm

Jim McMahon (Oldham West and Royton) (Lab/Co-op): I rise to present a petition in the name of Liane Singleton.

I should say that it is quite graphic, but it is the words of her parents who prepared the petition. I also present this on behalf of my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams), who is recovering from a hip operation.

The petition of residents of the United Kingdom, Declares that on the 3rd of May 1998, our 18-year-old daughter was brutally murdered and dismembered, her body parts then put outside in bags with the rubbish further that her head was shattered with a monkey wrench, she was strangled, and her bodytest was stamped on so hard, her liver was virtually split in two; shattered with a monkey wrench, she was strangled, and her body parts then put outside in bags with the rubbish further that her head was shattered with a monkey wrench, she was strangled, and her body test was stamped on so hard, her liver was virtually split in two; and further that the severity of Liane’s injuries, Police were unable to determine which one ended her short life; further that Liane’s murderer is soon to be considered for parole, but we strongly...
believe he should remain behind bars for the good of society, and further to protect other parents and families from having to go through the torture and heartbreak that we have endured for the last 20 years.

The petitioners therefore request that the House of Commons urges the Government to review the Liane Singleton case and any other information relating to it, and take action to stop the release.

And the petitioners remain, etc.

Home Education: draft guidance and consultation

7.6 pm

Tom Brake (Carshalton and Wallington) (LD): It is a pleasure to present a petition tonight from my constituent, Natasha Coull. It is on the subject of “Home education: call for evidence and revised DfE guidance”. There are just over 50 signatories. I know that, compared with others, that is not a particularly large number, but I know that the signatories are very passionate about this subject. I recall that, some years ago, I was the subject of one of the home educators’ lessons at one of their homes.

The petition states:

The petition of residents of Carshalton and Wallington constituency,

Declare that the “Home education: call for evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

Richard Burden (Birmingham, Northfield) (Lab): I rise to present a petition from home educators in my constituency, led by Abigail Purkis and Anne Lyse. The wording of the petition is identical to previous petitions on this subject this evening.

The petition states:

The petition of residents of Birmingham Northfield,

Declare that the “Home Education: Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.
Road Restructuring: Oxfordshire

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

7.9 pm

Robert Courts (Witney) (Con): In this House, we often spend a great deal of time discussing national and international issues, but we ought not to forget that sometimes it is the seemingly smaller issues that make a real difference to the lives of the residents we represent. For many of my constituents in West Oxfordshire—rural and town dwellers alike—their first journey to work or to school takes place in a car. Even a short uneventful journey can be marred by the phenomenon known as potholes, which are caused by poorly kept roads.

Potholes may seem like a small problem, but they are in fact a large one, and there are several reasons for that. There is of course the pure discomfort and irritation that affects everybody’s quality of life, but things are much more serious than that. On small, poorly lit rural roads, particularly in winter, there is a real danger to the people who are navigating those roads. There is a danger to life and limb, and there is a danger to property. Many constituents have written to me to explain how they have spent many hundreds and sometimes thousands of pounds on vehicle repairs having hit a pothole. This is unquestionably one of the most frequently raised issues with me on the doorstep, so I am grateful to the House for giving me the time to bring the matter before the Minister and to ask for his help.

With the House’s permission, I will read out from one or two emails that I have received from constituents as an illustration of the scale of the problem. Peter from Bampton said that the road near him was like “driving on a ploughed field.”

A couple from Finstock said that they have lived in West Oxfordshire their whole lives and are “ashamed of our roads”. Perhaps Paul from Standlake puts it best: “The roads in the area are an absolute disgrace, and downright dangerous in many places.”

Indeed, as an illustration, I was pleased this week to welcome to Parliament for a tour a group of students and parents who had entered my West Oxfordshire schools photography competition. One of the parents took me aside and said, “While I’ve got you, could I please take a minute or two of your time to talk to you about potholes?” We cannot possibly overstate the importance of this matter to the residents of West Oxfordshire and Oxfordshire as a whole, and there will be many Members from rural and urban areas alike who will agree.

Jim Shannon (Strangford) (DUP): Through the armed forces parliamentary scheme, I had the opportunity to visit an RAF base along with the hon. Gentleman and experienced the roads in his constituency, so I understand that this is an important issue not only for him, but for everyone in the House. There is huge tourism potential in the hon. Gentleman’s beautiful constituency, so does he agree that we need massive infrastructure investment to ensure that roads are clearly marked, easy to use and in decent condition? Tourism is about visiting big cities and visiting and enjoying rural idylls such as his constituency, but people can do that only if the roads are decent.

Robert Courts: I am grateful to the hon. Gentleman for making that excellent point and for joining me on that trip to RAF Brize Norton, which I like to speak about in the House as often as I can. This matter is important for tourism, absolutely, because it forms part of the offer and image that we project of our local area, but it is equally important for businesses, which are moving goods around and will wear the costs of vehicle repairs, and for private individuals.

The scale of the issue and of people’s concerns should not be underestimated. The issue is not specific to Oxfordshire, but it is more keenly felt because of the many miles of rural roads, which make maintenance a real challenge. The road network in Oxfordshire is 2,994 miles long—15% is A roads, 10% is B roads and 7% are C or unclassified roads, which are the small rural lanes to which the hon. Member for Strangford (Jim Shannon) referred. A high proportion of C or U roads are often not built to the modern standards that we would expect were the roads to be built now. They are essentially old cart tracks through the rural county which have had tarmac added to them over the decades, and rural locations are hard for maintenance teams to reach to make repairs. That is a particular problem when temperatures drop so low during the winter months.

Alex Chalk (Cheltenham) (Con): Does my hon. Friend agree that what frustrates people across the country, and certainly in Cheltenham, is that contractors are often getting away with poor-quality repairs? If they just did the job properly in the first place, the repair would have a chance of holding and would not leak at the first sign of frost.

Robert Courts: My hon. Friend makes a superb point. I have mentioned the concerns raised when I knock on people’s doors, and people express that frustration that potholes come back a few months after being repaired. They just wish it was done properly so that it did not happen. The problem is particularly acute around street works, metalwork and so on. The Government are consulting on moves to try to remove metalwork from the roads and to put it on verges and footpaths, where it is safe to do so, as a way of making sure that the phenomenon my hon. Friend rightly mentions is ameliorated. We have to find a way to ensure that repairs remain sound not for a few weeks or months but for years to come.

John Howell (Henley) (Con): Oxfordshire County Council has been given close to £20 million to solve this problem. Why does my hon. Friend think we are seeing no great improvement, despite the advent of dragon patchers? When the council has that money, why does it not try to fix the problem?

Robert Courts: My hon. Friend makes an excellent point, and the Government have certainly been giving more money to local authorities, which are responsible for repairing the roads—I am sure the Minister will refer to that. I have provided some details of the scale of the problem, which perhaps has a great deal to do with it. We have a very rural area, and it is very adversely affected by weather.

One point that I have not yet covered, which relates to that raised by my hon. Friend the Member for Cheltenham (Alex Chalk), is the impact of development and of very heavy lorries. When a housing estate is built,
heavy materials such as breeze blocks, girders, bricks and wood have to be brought in on small, narrow roads. There is a lot of development going on in Oxfordshire, which is a growing and economically busy area. That really adds to the scale of the challenge. The bigger the roads, the bigger the trucks and the greater the damage.

I briefly mentioned the challenge caused by the winter. The snow in December 2017 and further freezes in January and March 2018 have damaged an already fragile network, and it is worth noting that Oxfordshire has a lower proportion of roads assessed as good than the national average, but it also has a lower than average proportion of roads assessed as poor. Although Oxfordshire has a higher than average proportion of roads assessed as fair, fair means five to 15 years of life remaining. That is not a catastrophic state of affairs, but clearly it is an issue that requires a long-term solution.

I am grateful to my hon. Friend the Member for Henley (John Howell) for mentioning the work of Oxfordshire County Council. Of course we would like the council to do more, but I would also like us to recognise the work it has been doing, particularly in recent weeks and months, while drawing the House’s attention to the requirement for further works.

Oxfordshire County Council has 18 crews working on roads in the county, and I understand that is the largest number of crews it has ever used. In the summer it usually has only six crews, so the council is very much aware of the scale of the problem and is working hard to make changes.

As my hon. Friend rightly said, Oxfordshire owns two dragon patching machines and shares a third with the highway authority. The machines, which are somewhat dramatically named, use hot tarmac to melt and mend potholes. Rather than just filling the potholes, which means the filler often comes out again, the dragon patchers melt and rework the surface, which is more efficient and lasts longer. Of course, it is much cheaper, too—costing about £22 per defect, compared with £80 per defect using the normal cut-and-fill method. That will help, but it only really helps in rural areas because the surrounding tarmac is melted in the process. That rural area is assisted by dragon patchers. Small crews are able to travel across the county to fix holes more quickly and cheaply and to handle traffic management at the same time. All these steps mean that the council has fixed 5,146 potholes in Oxfordshire were fixed. A lot of work has been done, and I understand that is the case in Oxfordshire, but across the whole UK, is that the roads fundamentally need restructuring.

As my hon. Friend the Member for Cheltenham has rightly alluded to, what is happening not just in West Oxfordshire, but across the whole UK, is that the roads need to be kept in a good condition, and that is going to cost money. Oxfordshire is one of only a few councils that are able to make changes because they have given the council the money to do that. I would, however, like to register my concern that that is something we have to do more of across the whole country.

Alex Chalk: Does my hon. Friend agree that what is so infuriating for residents is seeing one defect repaired but surrounding defects left or areas that we all know are going to crumble in the next frost left unattended? Do we not have to find a more efficient way of fixing holes and the defects around them?

Robert Courts: I am grateful to my hon. Friend for that. I was wondering whether he was going to make that point in his earlier intervention, because this is linked to that. He rightly says that people find it frustrating when one pothole is done but another a foot away is left because it does not meet the intervention level. We all understand that there has to be an intervention level at which county councils start to undertake work; otherwise, we will be trying to have a bowling green surface and, clearly, it is unreasonable to expect any county council to provide that.

There is a solution, which I will come to shortly. It is why I have entitled this debate “Road Restructuring: Oxfordshire”, as that is what we need to be looking at. Let me give the last of my statistics. In March alone, 5,146 potholes in Oxfordshire were fixed. A lot of work is being done; this is a major task, but a lot is happening as we speak.

I also thank the Minister and the Government for what they have done, as we must not forget that. They have acknowledged the extent of this issue—I have raised it before, and Oxfordshire received an extra £2.9 million in funding from the Department for Transport to repair roads damaged last winter. That included a £1.5 million pothole grant and £1.3 million from the flood resilience fund. I am delighted that, with extraordinary timing—I am grateful to those at the Table Office for having pulled this debate out of the hat when they did—the county council’s cabinet approved just yesterday an extra £10 million for road repairs across Oxfordshire. That will pay for a further 46 miles of surface improvements and 52,000 square metres of patching; this is on top of the £8.5 million already spent on carriageways and footway repairs.

Much as I thank the county council for that, and much as I thank the Government for the money they have given, more needs to be done, and residents of all our constituencies, and certainly those in West Oxfordshire, will be expecting me to push for more. The council has agreed in principle to invest a further £120 million over the next 10 years. That is funded by borrowing, so it will have to manage its finances correctly, although I know and trust that it will be able to do that. I would, however, like to register my concern that that is something the county council is having to look at doing, because, as my hon. Friend the Member for Cheltenham has rightly alluded to, what is happening not just in West Oxfordshire, but across the whole UK, is that the roads fundamentally need restructuring.

We are dealing with the fact that tarmac has been added to roads, which over the years have been patched and repaired. What really needs to happen is the removal of that whole surface layer, and kerbs need to be put in, along with sound, watertight, weight-proof surfaces. I accept that that is easier said than done. I understand that to bring the whole of Oxfordshire’s road network up to an acceptable standard would cost about £250 million, with a further £21 million required to keep that going through resurfacing and £5 million a year needed for regular maintenance work, such as gully cleaning.

We can use modern technology, such as the FixMyStreet app, whereby people can take a photograph of the defect and send it to the county council, which will come to carry out the repair, and people can see the log of the complaint. That is brilliant and I encourage all hon. Members to speak to their constituents to encourage them to use it. However, it does mean that council workloads are dramatically increasing, because each time a defect is reported, someone has to go to look at it. Although this is very efficient, it means a lot more work is required.

I know that others want to get in on this debate, but I just wish to say something about solutions. I would like to reassure the Minister that I am not demanding that
he give me a £250 million cheque for Oxfordshire this evening, although if he has got one, I will gladly receive it—I can see that he is checking his pockets as I speak. The road network in Oxfordshire is going to undergo a dramatic transformation in the near future. We have the Oxford to Milton Keynes and Cambridge expressway. We are looking at A40 improvements, which are necessary; the housing infrastructure fund bid has gone in; and the major road network fund is involved in respect of work on the A40 and A420 in the Wantage constituency. All of this, if successful, will bring much needed improvements to the road network and ease congestion. The Minister will know how often I raise the issue of the A40, and it would not be right if I did not mention it again today.

Jim Shannon: I thank the hon. Gentleman for giving way again. He has very clearly outlined the important issues on the roads, but does he accept—I say this from the knowledge that I gained of his constituency when we were both involved in the scheme that I mentioned—that the roads were not built to take the current levels of traffic, and they need to be able to do so. May I also mention rural areas and the fact that tractors and vehicles are very large and the roads are not built for them either?

Robert Courts: The hon. Gentleman is absolutely right. In rural areas, agricultural traffic of tractors and combine harvesters is an added pressure.

The point that I particularly want to make before I conclude is that while much of it is wonderful, we do need extra work on the A40 in particular to ease congestion. That will be effective only if the feeder roads for those major roads are also repaired. That is important.

I raised the issue of potholes with the Minister in May this year. I was very pleased that he agreed with me that we need a more strategic approach to ensure that those C and U roads are not left out. We need to look at that lattice work of small rural roads that lead to the main trunk roads in a strategic way. I am looking forward to hearing from him, perhaps today or in the near future, about his plans on that score.

One thing is absolutely clear: potholes are not just a nuisance, but a real danger to people travelling either at speed on a trunk road or navigating a small rural road at night. They are a huge expense to drivers, and we must ensure that we invest what is required in our road network so that we have modern roads for a modern county.

7.26 pm

Matt Rodda (Reading East) (Lab): I am very grateful to you, Madam Deputy Speaker, the Minister and the hon. Member for Witney (Robert Courts) for indulging me tonight. As a former councillor who served on our transport committee, I do understand and appreciate the issues that the hon. Gentleman faces; significant potholes are a huge problem for many motorists, cyclists and, indeed, pedestrians. I have a great deal of sympathy for him and for the issues that he faces.

I want to raise the related and important issue of the need for a third Thames bridge joining Reading and south Oxfordshire, which links into the overall need for greater infrastructure in Oxfordshire and the surrounding counties of Berkshire and Buckinghamshire. This is of great importance to my constituents and to many other neighbouring residents in other parts of Berkshire.

I want to draw the Minister’s attention to the following issues. There are, indeed, a number of bottlenecks across the Thames, and, from speaking to him in the past, I believe that he has experienced lengthy delays at one of them going into Henley, so I hope that he will be sympathetic. Reading has a particular issue: it has a rapidly growing population. It has doubled in size over the past 70 years, added 10,000 extra people in the past 10 years, and the two existing bridges date from the 1920s. I should say, though, that they are positively youthful compared with the neighbouring Sonning Bridge, which straddles the Oxfordshire-Berkshire border and dates from the 18th century. As a result, we suffer from major delays, which have a significant impact on both residents and businesses in the area. Indeed, many commuters from south Oxfordshire struggle to get into work in Reading or in neighbouring towns in Woodley and in Maidenhead, which is in the Prime Minister’s constituency, and they are very keen to see a new bridge.

On the possibilities going forward, there is widespread support for action. Indeed, the Prime Minister, as a very well-known and good constituency MP for Maidenhead, has been quoted in local council meetings as being very sympathetic to this issue. Wokingham Borough Council, our neighbouring local authority on the Berkshire side, is supportive. Oxfordshire County Council, at a meeting that I attended last year, agreed in principle that there was a need for a bridge. Indeed, other bridges have been put across the Thames in Oxfordshire—in Wallingford, in central Oxfordshire, for example, and Culham, in a similar area, is due to have a new bridge as well. There is a desire in Oxfordshire for further infrastructure linked with the growth of the central part of the county, linking the growing towns and cities of Oxford, Didcot and Banbury. However, the county council does not have the resource for this bridge in our part of Oxfordshire. I seek to work with it and other partners in government to persuade others who may be more reticent about it to support this project.

I would like to stress in my remaining time that a credible plan has been put forward by Reading and Wokingham councils. A route has been identified. Research has been carried out that shows that this would reduce many of the local pressures in the area, including in Henley and Reading town centres. There is support from a number of local councils, there is cross-party support and there is support from businesses, and we would now like to raise the matter with the Minister.

Thank you, Madam Deputy Speaker, for indulging me tonight. This is a very worthwhile project, which links to the concerns that colleagues in Oxfordshire have expressed about their infrastructure. It would have huge benefits for local people and businesses. I urge the Minister to investigate it further and to work on it with colleagues from across parties.

7.29 pm

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): It is a delight for me to be able to speak to this very important issue, and to congratulate my hon. Friend the Member for Witney (Robert Courts) on securing the debate. Those who are watching may not be aware of this, but by Adjournment debate standards, this is a packed House. With all these interventions and speeches, it resembles nothing so much as the circus maximus, by comparison with our regular evening debates.
I can only congratulate the hon. Member for Reading East (Matt Rodda) on crowbarring the topic of his bridge into a debate about local roads in Oxfordshire. He has put his point on the record, and that is all good. As to my hon. Friend the Member for Witney, he has been, as he gently and delicately alluded to, a vigorous campaigner on such issues, and rightly so. One noticed his background as a lawyer in his skilful marshalling of data and arguments into a forensic case of great strength.

I will come to local roads in due course, but I want to start by touching on an important new development, from the Government’s standpoint, which relates to the situation of local roads. That is the introduction of a major road network, which is designed to embrace key local roads in a much longer-term funding approach. As my hon. Friend will know, the major road network is designed to serve a series of important objectives: to reduce congestion; to support economic growth and economic rebalancing; to support housing delivery; to benefit cyclists and pedestrians, as well as road users; and, of course, to take some of the pressure off the strategic road network.

I am pleased to say that the major road network will be funded by the new national roads fund—I hope to make an announcement on that relatively soon—which will, in turn, be funded by the receipts from vehicle excise duty and used to invest in these vital roads and deliver a better performance for all users.

My hon. Friend has campaigned to ease congestion, which he quite rightly recognised, on the A40 in Oxfordshire. I assure him that the A40 is on the indicative map for the MRN. Whether that reflects the final map remains to be decided, given all the input from our consultation earlier this year. We intend to publish guidance on the MRN and to confirm the network by the end of the year. If the A40 were to be excluded, I would encourage my hon. Friend to work with local and regional partners—I am sure he will do so—to make the case for MRN funding.

I turn to local highways. I think it is widely understood, as my hon. Friend has said, that the local road network is one of our most valuable national assets and an essential component not merely of people’s economic prosperity, but of their social wellbeing. It is therefore very important to the Government to keep local roads in good condition. After all, they represent 98% of our national highway network. To that end, we place a legal duty on local authorities to maintain the highway under section 41 of the Highways Act 1980.

Good roads are not simply a matter for individuals and families as they go about their lives; they are essential for businesses and important for commercial success. I get plenty of correspondence on this issue. If we were to take a straw poll of Members of Parliament on the importance of addressing potholes and improving local roads, I think we would have a vote of 650 to zero in favour, because everyone believes in it. As colleagues will know, the Government have already taken major steps. We are investing more than £6 billion in funding to local highway authorities in England outside London between 2015 and 2021, and that includes nearly £300 million for a pothole action fund. As my hon. Friend has said, that fund has been of some value in Oxfordshire. The overall pot of funding is not ring-fenced. Its use is entirely at the discretion of highway authorities, based on their local needs and priorities—and rightly so—to enable them to address the issues they face in their own areas. We recommend that authorities publish a statement on their website as to how that funding is allocated, in the spirit of proper transparency and open accountability to local people. For our part, we allocate part of our funding to local authorities based on the level that they have themselves reached on the path to what we consider to be a proper, adequate asset management plan.

There is of course a backlog of repairs, and the recent winter has certainly not made the situation any better. That backlog is a legacy of past underinvestment that we are seeking to correct. Its effect hitherto has been that roads have been improving, at least until this year’s series of cold snaps in the winter. My hon. Friend will know from the road condition statistics that A roads and B and C roads combined have seen a gradual improvement—fewer roads have been considered for maintenance in the past five years.

But of course we believe very strongly that more can be done in this area, and we intend to do more. We therefore champion the need for proper, planned, preventive maintenance based on seeing the road not merely as something, as it were, to be topped up periodically from time to time, but as a recognised asset subject to proper capital asset management principles. It is clear that organisations more widely that have adopted asset management principles can demonstrate benefits in terms of financial efficiency, improved accountability, value for money, and improved customer service. We see no reason why this is not doable with local authorities. Indeed, the evidence is that it is already starting to bear fruit for them.

We continue to offer a lot of money based on a funding formula, as my hon. Friend will know. That was reviewed in 2015 and followed consultation with the highways maintenance sector, including local authorities. We agreed, as part of that, that funding would be based on the local highway assets, including road length, the number of bridges with a span of 1.5 metres or more, and streetlights. We think that the formula is, overall, a fair and equitable way of allocating funding. However, it is important to say that we have also decided to allocate £578 million between 2016-17 and 2020-21. That is to be based on local authorities’ own performances as a matter of incentive payments. It therefore provides an incentive for local authorities to treat their roads as assets and manage them properly as a result.

I would like to pick up on a couple of points that have been raised. My hon. Friend the Member for Cheltenham (Alex Chalk), who is no longer in his seat, alas, asked about utilities. We are very concerned that utilities should make proper reinstatements of the road surface to make it fit for purpose. We have powers that deal with such issues. We are seeking to update those according to what are known in the trade as the “Specification for the Reinstatement of Openings in Highways” rules in order to make sure that disruption to the travelling public is minimised where possible.

We have a variety of other schemes designed to serve that end. For example, the lane rental schemes apply to the most congested 5% of the network in local authority
areas that choose to adopt them. They have been successfully trialled in London and Kent and we are looking to allow other authorities to set them up in future. We have Street Manager, which is a very important new digital service that may help to transform the planning, management and communication of local works. We are also seeking to encourage local authorities to use permitting schemes, to the extent that they can, to reduce the impact of congestion and better plan and co-ordinate their own works. We are using new technologies. Pothole-spotter trials are being led by the Department in partnership with Thurrock, Yorkshire and Wiltshire councils, with significant private sector input. Those trials, in at least one case, have already won awards for the best use of technology in the highways industry.

We recognise the importance of this issue. We work very closely with the Association of Directors of Planning, Environment and Transport, the RAC Foundation and others. I have met those organisations and others to discuss this issue. As my hon. Friend knows, I want a new settlement for local roads that is long term, transparent and strategic. We recognise their value. We want to bring the same kind of thinking to them that we have seen with the strategic road network and the major road network.

*Question put and agreed to.*

7.39 pm

*House adjourned.*
Deferred Divisions

1. European Union

That the draft European Union (Definition of Treaties) (Comprehensive and Enhanced Partnership Agreement) (Armenia) Order 2018, which was laid before this House on 4 June, be approved.

The House divided: Ayes 535, Noes 3.

Division No. 225]

AYES

Abbott, rh Ms Diane
Adams, Nigel
Afolami, Bim
Afriyie, Adam
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2. **EUROPEAN UNION**

That the draft European Union (Definition of Treaties) (Association Agreement) (Central America) Order 2018, which was laid before this House on 4 June, be approved.

*The House divided: Ayes 534, Noes 3.*

**Division No. 226**

**AYES**

Abbott, rh Ms Diane  
Adams, Nigel  
Afzal, Bim  
Afryde, Adam  
Aldous, Peter  
Ali, Rushanara  
Allan, Patrick  
Allen, Heidi  
Amess, Sir David  
Andrew, Stuart  
Antoniazzi, Tonia  
Archer, Edward  
Ashworth, Jonathan  
Atkinson, Victoria  
Austin, lan  
Bacon, Rhys  
Bahrain, Ms Karen  
Baker, Mr Steve  
Baldwin, Mark  
Barclay, Sir David  
Barrow, Sir John  
Barrett, Sir Matthew  
Battersby, Stephen  
Bell, Nick  
Bennett, Sir James  
Benn, rh Hilary  
Benn, Sir Greg  
Bennett, Ben  
Benjamin, Bob  
Benjamin-Woods, Dr Roberta  
Blanchflower, Andrew  
Blunkett, Sir Peter  
Bowie, Andrew  
Bradshaw, Mr Ben  
Brady, Sir Graham  
Brake, Tom  
Braverman, Suella  
Brennan, Kevin  
Brecon, Jack  
Bridges, Andrew  
Brier, Steve  
Brook, Sir Nicholas  
Bruce, Fiona  
Bryant, Chris  
Buck, Ms Karen  
Buckland, Robert  
Burden, Richard  
Burghart, Alex  
Burrows, Richard  
Burns, Conor  
Burt, rh Alistair  
Butler, Dawn  
Byrne, rh Liam  
Cable, Sir Vince  
Caldwell, Ruth  
Cairns, rh Alun  
Campbell, rh Mr Alan  
Campbell, Mr Gregory  
Campbell, Mr Ronnie  
Carden, Dan  
Carmichael, rh Mr Alastair  
Cartwright, James  
Cash, Sir William  
Cautfield, Maria  
Chalk, Alex  
Champion, Sarah  
Chapman, Jenny  
Charalambous, Bamboos  
Chishti, Rehman  
Churchill, Jo  
Clark, Colin  
Clark, rh Greg  
Clarke, rh Mr Kenneth  
Clarke, Mr Simon  
Cleland, James  
Clifton-Brown, Sir Geoffrey  
Coffey, Dr Therese  
Collins, Damian  
Cooper, Julie  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, rh Jeremy  
Costa, Alberto  
Courts, Robert  
Cox, rh Mr Geoffrey  
Coyle, Neil  
Crabb, rh Stephen  
Crausby, Sir David  
Creagh, Mary  
Creasy, Stella  
Crouch, Tracey  
Cruddas, Jon  
Cummins, Judith  
Cunningham, Alex  
Cunningham, Mr Jim  
Daby, Janet  
Dakin, Nic  
Davey, rh Sir Edward  
Davies, Rhys  
Davies, rh David  
Davies, rh Mr David  
De Cordova, Marsha  
De Piero, Gloria  
Debonaire, Thangam  
Dent Coad, Emma  
Dhesi, Mr Tanmanjeet Singh  
Dinenage, Caroline  
Djongsingh, Mr Jonathan  
Docherty, Leo  
Dodds, rh Nigel  
Donelan, Michelle  
Donnelly, Ms Nadine  
Double, Steve  
Doughty, Stephen  
Dowd, Peter  
Dowden, Oliver  
Drake, Richard  
Drew, Dr David  
Dromey, Jack  
Duffield, Rosie  
Duguid, David  
Duncan, rh Sir Alan  
Duncan Smith, rh Mr Iain  
Dunne, Mr Philip  
Earl, Ms Angela  
Eagle, Maria  
Efford, Clive  
Elliot, Julie  
Ellis, Michael  
Elman, Dame Louise  
Ellwood, rh Mr Tobias  
Ellmore, Chris  
Elnis, Charlie  
Esterson, Bill  
Eustice, George  
Evans, Chris  
Evans, rh Mr Nigel  
Evnett, rh Sir David  
Fabricant, Michael  
Fallon, rh Sir Michael  
Farrell, Paul  
Farron, Tim  
Field, rh Mark  
Fitzpatrick, Jim  
Flint, rh Caroline  
Ford, Vicky  
Foster, Kevin  
Fox, rh Dr Ian  
Foxcroft, Vicky  
Francois, rh Mr Mark  
Frazer, Lucy  
Freer, Mike  
Frisht, James  
Furniss, Gill  
Fysh, Mr Marcus  
Gaffney, Hugh  
Gale, Sir Roger  
Gapes, Mike  
Gardiner, Barry  
Garnier, Mark  
Gauge, rh Mr David  
Ohan, Ms Nusrat  
Gibb, rh Nick  
Gill, Preet Kaur  
Gillan, rh Dame Cheryl  
Girvan, Paul  
Glen, John  
Gill, Alastair  
Goldsmith, Zac  
Goodman, Helen  
Goodwill, rh Mr Robert  
Gove, rh Michael  
Graham, Luke  
Graham, rh Richard  
Grant, Bill  
Grant, Mrs Helen  
Gray, James  
Green, Chris  
Green, rh Damian  
Green, Kate  
Greening, rh Justine  
Greenwood, Lilian  
Greenwood, Margaret  
Grieve, rh Mr Dominic  
Griffiths, Nia  
Griffiths, Andrew  
Grogan, John  
Gwynne, Andrew  
Gyimah, Sir Samuel  
Hair, Kirstene  
Hallon, rh Robert  
Hall, Luke  
Hamilton, Fabian  
Hammond, rh Mr Philip  
Hammond, Stephen  
Hancock, rh Matt  
Hands, rh Greg  
Hanson, rh David  
Hardy, Emma  
Harman, rh Ms Harriet  
Harper, rh Mr Matthew  
Harrington, Richard  
Harris, Carolyn  
Harris, Rebecca  
Harrison, Trudy  
Hart, Simon  
Hayes, Helen  
Hayes, rh Mr John  
Hayman, Sue  
Heald, rh Sir Oliver  
Healey, rh John  
Heappey, James  
Heaton-Harris, Chris  
Heaton-Jones, Peter  
Henderson, Gordon  
Hepburn, Mr Stephen  
Herbert, rh Nick  
Hermon, Lady  
Hill, Mike  
Hillier, Meg  
Hinds, rh Damian  
Hoare, Simon  
Hobhouse, Wera  
Hodgson, Mrs Sharon  
Hoey, Kate  
Hollobone, Mark  
Hollingbery, George  
Hollinrake, Kevin  
Holt, rh Mr Philip  
Holloway, Adam  
Hopkins, Kelvin  
Howarth, rh Mr George  
Howell, John  
Huddleston, Nigel  
Hughes, Eddie  
Hunt, rh Mr Jeremy  
Huq, Dr Rupa  
Hurd, rh Mr Nick  
Hussain, Imran  
Jack, rh Alister  
James, Margot  
Jardine, Christine  
Jarvis, Dan  
Javid, rh Sajid  
Jayawardena, Mr Ranil  
Jenkin, Sir Bernard
Deferred Divisions

18 JULY 2018

Matheson, Christian
May, Mrs Theresa
Maynard, Paul
McCarthy, Barry
McDonagh, Siobhain
McDonald, Andy
McDonnell, r John
McFadden, Mr Pat
McKerns, Liz
McKinnell, Catherine
McLoughlin, r Sir Patrick
McMahon, Jim
McMorrin, Anna
McPartland, Stephen
McVey, r Ms Esther
Mears, Ian
Menzies, Mark
Merriman, Huw
Metcalfe, Stephen
Milliband, r Edward
Miller, r Mrs Maria
Miller, Amanda
Mills, Nigel
Milton, r Anne
Mitchell, Mr Andrew
Moon, Mrs Madeleine
Moore, Damien
Moran, Layla
Mordaunt, r Penny
Morden, Jessica
Morgan, r Nicky
Morgan, Stephen
Morris, Anne Marie
Mordaunt, David
Morris, Grahame
Morris, James
Morton, Wendy
Mundell, r David
Murray, Ian
Murray, Mrs Sherry
Murrison, Dr Andrew
Nandy, Lisa
Neill, Robert
Newton, Sarah
Nokes, r Caroline
Norman, Jesse
Norriss, Alex
Offord, Dr Matthew
Onasanya, Fionna
Omn, Melanie
Onwurah, Chi
Opperman, Guy
Owen, Albert
Parish, Neil
Patel, r Priit
Paterson, r Mr Owen
Peacock, Stephanie
Pearce, Anessa
Penning, r Sir Mike
Pennycook, Matthew
Penrose, John
Percy, Andrew
Perkins, Toby
Perry, r Claire
Phillipson, Bridget
Philp, Chris
Pincher, Christopher
Platt, Jo
Pollard, Luke
Poulter, Dr Dan
Pound, Stephen
Pow, Rebecca

Powell, Lucy
Prisk, Mr Mark
Pritchard, Mark
Purseglove, Tom
Quin, Jeremy
Quince, Will
Qureshi, Yasmin
Raab, r Dominic
Rashid, Faisal
Rayner, Angela
Redwood, r John
Reed, Mr Steve
Rees, Christina
Rees-Mogg, Mr Jacob
Reeves, Ellie
Reynolds, Jonathan
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rodda, Matt
Rosindell, Andrew
Ross, Douglas
Rowley, Danielle
Rowley, Lee
Ruane, Chris
Rudd, r Amber
Russell-Moyle, Lloyd
Rutley, David
Ryan, r Joan
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shah, Naz
Shannon, Jim
Shapps, r Grant
Sharma, Alok
Sheerman, Mr Barry
Shelbrooke, Alec
Sheriff, Paula
Simpson, David
Simpson, r Mr Keith
Skidmore, Chris
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Chloe
Smith, Eleanor
Smith, Jeff
Smith, r Julian
Smith, Laura
Smith, Nick
Smith, Owen
Smith, Royston
Smyth, Karin
Snell, Gareth
Soames, r Sir Nicholas
Souby, r Anessa
Spellar, r John
Spelman, r Dame Caroline
Spencer, Mark
Staramel, r Keir
Stephenson, Andrew
Stevens, Jo

Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stone, Jamie
Streeter, Mr Gary
Streeting, Wes
Stride, r Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swain, r Sir Desmond
Sweeney, Mr Paul
Swire, r Sir Hugo
Syms, Sir Robert
Tami, Mark
Thomas, Derek
Thomas, Gareth
Thomas-Symonds, Nick
Thomson, Ross
Throup, Maggie
Timms, r Stephen
Tohurist, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, r Elizabeth
Tugendhat, Tom
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaizey, r Mr Edward
Vara, Mr Shailesh
Vaz, Valerie
Villiers, r Theresa
Walker, Mr Charles
Walker, Mr Robin
Walker, Thelma
Wallace, r Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Watson, Tom
West, Catherine
Western, Matt
Whately, Helen
Whitehead, Dr Alan
Whitfield, Martin
Whittaker, Craig
Wiggin, Bill
Williamson, Chris
Williamson, r Gavin
Wilson, Phil
Wilson, r Sammy
Wood, Mike
Wragg, Mr William
Wright, r Jeremy
Yasin, Mohammad
Zahawi, Nadhim
Zeichner, Daniel

NOES

Godsil, Mr Roger
Williams, Dr Paul

Woodcock, John

Question accordingly agreed to.
3. EUROPEAN UNION

That the draft European Union (Definition of Treaties) (Political Dialogue and Cooperation Agreement) (Cuba) Order 2018, which was laid before this House on 4 June, be approved.

The House divided: Ayes 534, Noes 3.

Division No. 227]
Deferred Divisions

18 JULY 2018

4. EUROPEAN UNION

That the draft European Union (Definition of Treaties) (Strategic Partnership Agreement) (Canada) Order 2018, which was laid before this House on 4 June, be approved.

The House divided: Ayes 534, Noes 3.

Division No. 228]

AYES

Abbott, rh Ms Diane
Adams, Nigel
Afzali, Bim
Afnije, Adam
Aldous, Peter
Ali, Rushanara
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Antoniacci, Tonia
Argr, Edward
Ashworth, Jonathan
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Bailey, Mr Adrian
Baker, Mr Steve
Baldwin, Harriett
Barron, Sir Kevin
Beckett, rh Margaret
Bellingham, Sir Henry
Benn, rh Hilary
Benyon, rh Richard
Beresford, Sir Paul
Berger, Luciana
Berry, Jake
Betts, Mr Clive
Blackman, Bob
Blackman-Woods, Dr Roberta
Blomfield, Paul
Blt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Brabin, Tracy
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brake, rh Tom
Braverman, Suella
Brennan, Kevin
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Brown, Lyn
Brown, rh Mr Nicholas
Bruce, Fiona
Bryant, Chris
Buck, Ms Karen
Buckland, Robert
Burden, Richard
Burghart, Alex
Burgen, Richard
Burns, Conor
Burt, rh Alistair
Butcher, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cairns, rh Alun
Campbell, rh Mr Alan
Campbell, Mr Gregory
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Chishti, Reham
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleaverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Cooper, Julie
Cooper, Rosie
Coope, rh Yvette
Corbyn, rh Jeremy
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Coyle, Neil
Crabb, rh Stephen
Crausby, Sir David
Creagh, Mary
Creasy, Stella
Crouch, Tracey
Cruddas, Jon
Cuimmins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nick
Davey, rh Sir Edward
David, Wayne
Davies, Chris
Davies, David T. C.
Davies, Glynn
Davies, Mims
Davies, Philip
Davis, rh Mr David
De Cordova, Marsha
De Piero, Gloria
Debonoare, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Doughty, Stephen
Dowd, Peter
Dowden, Oliver
Dovey-Price, Jackie
Drax, Richard
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Duguid, David
Duncan, rh Sir Alan
Duncan, rh Mr lain
Dunne, Mr Philip
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliot, Julie
Ellis, Michael
Ellman, Dame Louise
Ellwood, rh Mr Tobias
Elmore, Chris
Elphicke, Charlie
Esterson, Bill
Eustice, George
Evans, Chris
Evans, rh Mr Nigel
Ewennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Farrell, Paul
Farron, Tim
Field, rh Mark
Fitzpatrick, Jim
Flint, rh Caroline
Ford, Vicky
Foster, Kevin
Fovargue, Yvonne
Fox, rh Dr Liam
Foxcroft, Vicky
Francois, rh Mr Mark
Frazer, Lucy
Freer, Mike
Frithe, James
Furniss, Gill
Fysh, Mr Marcus
Gaffney, Hugh
Gale, Sir Roger
Gapes, Mike
Gardiner, Barry
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gill, Preet Kaur
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Glindon, Mary
Goldsmith, Zac
Goodman, Helen
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James

Green, Chris
Green, rh Damian
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffiths, Nia
Griffiths, Andrew
Grogan, John
Gwynne, Andrew
Gymah, Mr Sam
Haigh, Louise
Hair, Kirstene
Halcon, rh Robert
Hall, Luke
Hamilton, Fabian
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, Greg
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harper, rh Mr Mark
Harrington, Richard
Harris, Carolyn
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, Helen
Hayes, rh Mr John
Healy, Sue
Heald, rh Sir Oliver
Healey, rh John
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Hepburn, Mr Stephen
Herbert, rh Nick
Herman, Lady
Hill, Mike
Hillier, Meg
Hinds, rh Damian
Hoare, Simon
Hobhouse, Wera
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Hopkins, Kelvin
Howarth, rh Mr George
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Huq, Dr Rupa
Hurd, rh Mr Nick
Hussain, Imran
Jack, Mr Alister
James, Margot
Jardine, Christine
Jarvis, Dan
Javid, rh Said
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Deferred Divisions

18 JULY 2018

Deferred Divisions

Question accordingly agreed to.

Godsiff, Mr Roger
Williams, Dr Paul

Stewart, Iain
Stewart, Rory
Stone, Jamie
Streeter, Mr Gary
Streeting, Wes
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Sweeney, Mr Paul
Swire, rh Sir Hugo
Syms, Sir Robert
Tami, Mark
Thomas, Derek
Thomas, Gareth
Thomas-Symonds, Nick
Thomson, Ross
Throup, Maggie
Timms, rh Stephen
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaizey, rh Sir Edward
Vara, Mr Shaiilesh
Vaz, Valerie
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Walker, Thelma
Wallace, rh Mr Ben
Warburton, David
Warmann, Matt
Watling, Giles
Watson, Tom
West, Catherine
Western, Matt
Whately, Helen
Whitehead, Dr Alan
Whittfield, Martin
Whittaker, Craig
Wiggin, Bill
Williamson, Chris
Williamson, rh Gavin
Wilson, Phil
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Yasin, Mohammad
Zahawi, Nadhim
Zeichner, Daniel

NOES

Woodcock, John
5. European Union

That the draft European Union (Definition of Treaties) (Framework Agreement) (Australia) Order 2018, which was laid before this House on 4 June, be approved.

The House divided: Ayes 534, Noes 3.

Division No. 229]

AYES

Abbott, Ms Diane
Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Ali, Rushanara
Allan, Lucy
Allen, Heidi
Amesbury, Mike
Andrew, Stuart
Antoniacci, Tonia
Argar, Edward
Ashworth, Jonathan
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Bailey, Mr Adrian
Baker, Mr Steve
Baldwin, Harriett
Barron, rh Sir Kevin
Beckett, rh Margaret
Bellingham, Sir Henry
Benn, rh Hilary
Benyon, rh Richard
Beresford, Sir Paul
Berger, Luciana
Berry, Jake
Betts, Mr Clive
Blackman, Bob
Blackman-Woods, Dr Roberta
Blomfield, Paul
Blunt, Crispin
Bolles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Brabin, Tracy
Bradley, Ben
Bradley, rh Karen
Bradshaw, rh Mr Ben
Brady, Sir Graham
Brake, rh Tom
Braverman, Suella
Brennan, Kevin
Breereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Brown, Lyn
Brown, rh Mr Nicholas
Browne, Fiona
Bryant, Chris
Buck, Ms Karen
Buckland, Robert
Burden, Richard
Burghart, Alex
Burgon, Richard
Burns, Conor
Burt, rh Alistair
Butler, Dawn
Dodd, rh Nigel
Donelan, Michelle
Donnies, Ms Nadine
Double, Steve
Doughty, Stephen
Dowd, Peter
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, nh Mr lain
Dunne, Mr Philip
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliott, Julie
Ellis, Michael
Ellman, Dame Louise
Ellwood, rh Mr Tobias
Elmore, Chris
Elphicke, Charlie
Esterson, Bill
Eustice, George
Evans, Chris
Evans, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Farrelly, Paul
Farron, Tim
Field, rh Mark
Fitzpatrick, Jim
Flint, rh Caroline
Ford, Vicky
Foster, Kevin
Fovargue, Yvonne
Fox, rh Dr Liam
Foxcroft, Vicky
Francois, rh Mr Mark
Frazier, Lucy
Freer, Mike
Frith, James
Furniss, Gill
Fysh, Mr Marcus
Gaffney, Hugh
Gale, Sir Roger
Gapes, Mike
Gardiner, Barry
Gamier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gill, Preet Kaur
Gillian, rh Dame Cheryl
Givhan, Paul
Glen, John
Glindon, Mary
Goldsmith, Zac
Goodman, Helen
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Green, Chris
Green, rh Damian
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Griffiths, Andrew
Grogan, John
Gwynne, Andrew
Gymah, Mr Sam
Haigh, Louise
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hamilton, Fabian
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hans, rh Greg
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harper, rh Mr Mark
Harrington, Richard
Harris, Carolyn
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, Helen
Hayes, rh Mr John
Hayman, Sue
Heald, rh Sir Oliver
Healey, rh John
Heppey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Hepburn, Mr Stephen
Herbert, rh Nick
Hermion, Lady
Hill, Mike
Hillier, Meg
Hinds, rh Damian
Hoare, Simon
Hobhouse, Wera
Hodgson, Mrs Sharon
Hoey, Kate
Hollem, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobome, Mr Philip
Holloway, Adam
Hopkins, Kelvin
Howarth, rh Mr George
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Huq, Dr Rupa
Hurd, rh Mr Nick
Hussain, Imran
Jack, Mr Alister
James, Margot
Jardine, Christine
Jarvis, Dan
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Andrea
Jenrick, Robert
Johnson, rh Boris

Deferred Divisions

18 JULY 2018

Deferred Divisions

Question accordingly agreed to.

Godsiff, Mr Roger
Williams, Dr Paul
Stewart, lain
Stewart, Rory
Stone, Jamie
Streeter, Mr Gary
Streeting, Wes
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Sweeney, Mr Paul
Swire, rh Sir Hugo
Syms, Sir Robert
Tami, Mark
Thomas, Derek
Thomas, Gareth
Thomas-Symonds, Nick
Thomson, Ross
Throup, Maggie
Timms, rh Stephen
Tohurly, Keith
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Turner, Karl
Twigg, Stephen
Twist, Liz
Ummuna, Chuka
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vaz, Valerie
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Walker, Thelma
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Watson, Tom
West, Catherine
Western, Matt
Whately, Helen
Whitehead, Dr Alan
Whitfield, Martin
Whittaker, Craig
Wiggin, Bill
Williamson, Chris
Williamson, rh Gavin
Wilson, Phil
Wilson, rh Sammy
Wood, Mike
Wratt, Mr William
Wright, rh Jeremy
Yasin, Mohammad
Zahawi, Nadhim
Zeichner, Daniel

NOES

Woodcock, John
6. **EUROPEAN UNION**

That the draft European Union (Definition of Treaties) (Partnership Agreement on Relations and Cooperation) (New Zealand) Order 2018, which was laid before this House on 4 June, be approved.

*The House divided: Ayes 536, Noes 3.*

**Division No. 230**

<table>
<thead>
<tr>
<th>AYES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbott, rh Ms Diane</td>
<td>Burt, rh Alistair</td>
</tr>
<tr>
<td>Adams, Nigel</td>
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| Greenwood, Lilian                                                 | Greenwood, Margaret|
| Grieve, rh Mr Dominic                                             | Griffith, Nia    |
| Griffiths, Andrew                                                 | Grogan, John     |
| Grywne, Andrew                                                    | Gyimah, Mr Sam   |
| Haigh, Louise                                                     | Hair, Kirstene   |
| Hallon, rh Robert                                                 | Hall, Luke       |
| Hamilton, Fabian                                                  | Hammond, Fabian  |
| Hammond, Stephen                                                  | Hancock, rh Matt |
| Hands, rh Greg                                                    | Hanson, rh David |
| Hardy, Emma                                                       | Harman, rh Ms Harriet|
| Harper, rh Mr Mark                                                | Harrington, Richard|
| Harris, Carolyn                                                   | Harris, Rebecca  |
| Harrison, Trudy                                                   | Hart, Simon      |
| Hayes, Helen                                                      | Hayes, rh Mr John|
| Hayman, Sue                                                       | Heald, rh Sir Oliver|
| Healey, rh John                                                   | Healey, John     |
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| Henderson, Gordon                                                 | Hepburn, Mr Stephen|
| Herbert, rh Nick                                                  | Hermon, Lady     |
| Hill, Mike                                                        | Hillier, Meg     |
| Hinds, rh Damian                                                  | Hoare, Simon     |
| Hobhouse, Wera                                                   | Hodson, Mrs Sharon|
| Hoe, Kate                                                         | Hollem, Kate     |
| Hollingbery, George                                              | Hollinrake, Kevin|
| Hollobone, Mr Philip                                             | Holloway, Adam   |
| Hopkins, Kevin                                                   | Howarth, Mr George|
| Howell, John                                                      | Huddleston, Nigel|
| Hughes, Eddie                                                    | Hunt, rh Mr Jeremy|
| Huq, Dr Rupa                                                      | Hurd, rh Mr Nick  |
| Hussain, Imran                                                   | James, Margot    |
| Jack, Mr Alister                                                 | Jardine, Christine|
| James, Margaret                                                  | Jarvis, Dan      |
| David, rh Sajid                                                  | Jayawardena, Mr Ranil|
| Jenkin, Sir Bernard                                              |
Deferred Divisions

NOES

Woodcock, John

Question accordingly agreed to.
7. EXITING THE EUROPEAN UNION

That the draft Immigration (Provision of Physical Data) (Amendment) (EU Exit) Regulations 2018, which were laid before this House on 3 July, be approved.

The House divided: Ayes 311, Noes 262.

Division No. 231]

AYES

Adams, Nigel
Afolami, Bim
Afrinye, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Alkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bolmes, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breerston, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caufield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Colley, Dr Therese
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glynn
Davies, Mims
Davies, Philip

Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Heron, Lady
Hinds, rh Damian
Hollande, Michelle
Dodd, Steve
Dowden, Oliver
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Duffy, Steve
Doyle-Price, Jackie
Drax, Richard
Dudbridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Elliott, Mr Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evannett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Fraser, Lucy
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nazirah
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
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

McVey, rh Ms Esther
Menzies, Mark
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
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Phillips, Chris
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Poulter, Dr Dan
Pow, Rebecca
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
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Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
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Robinson, Mary
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Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
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Smith, Rhyston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
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Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
Streeter, Mr Gary
Stride, rh Mel
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Swan, rh Sir Hugo
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Thomson, Ross
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VALE, Mr Shailesh
VILLIERS, rh Theresa
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WATLING, Giles
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WIGGIN, Bill
WILLIAMS, Dr Paul
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WRIGHT, rh Jeremy
ZAHAWI, Nadhim

GAPES, Mike
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MANN, John

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McCArTHY, Kerry
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McFADDEN, rh Mr Pat
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McKINNELL, Catherine
McMAHON, Jim
MCMorRIN, Anna
MEAMS, Ian
MILIBAND, rh Edward
MONAGHAN, Carol
MOON, Mrs Madeleine
MORAN, Layla
MORDEN, Jessica
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MURRAY, Ian
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NORRIS, Alex
O’HARA, Brendan
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SHERIFF, Paula
SKINNER, Mr Dennis
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STARMER, rh Keir
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Whitfield, Martin
Whitford, Dr Philippa
Williamson, Chris
Wilson, Phil
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Question accordingly agreed to.
Oral Answers to Questions

EXITING THE EUROPEAN UNION

The Secretary of State was asked—

Access to EU Markets

1. Mr Barry Sheerman (Huddersfield) (Lab/Co-op): What steps he is taking during negotiations to ensure that UK manufacturing and services can continue to have access to EU markets after the UK leaves the EU.

The Secretary of State for Exiting the European Union (Dominic Raab): The UK proposes a UK-EU free trade area underpinned by a common rulebook, including on agri-food, but only for those rules necessary to provide frictionless trade at the border. On services, we seek to minimise new barriers to trade, enable UK firms to establish in the EU and continue mutual recognition of professional qualifications.

Mr Sheerman: While welcoming the Secretary of State to his new post, may I ask if he shares my view that all Members of this House have a sacred duty to look at the long-term future of the people that we represent? Will he join me in looking at the front page of the Financial Times, and did he listen to the radio this morning? He knows that many of our constituents working in manufacturing and in services are deeply distressed and worried about their future.

Dominic Raab: The hon. Gentleman is absolutely right. We need to look to the long term, and we need to try to bridge some of the divisions in this country. I believe that the White Paper that the UK Government have published is a principled, pragmatic but ambitious approach that delivers the best deal for the UK but also makes sure that we continue our firm, strong ties with our European friends.

Damian Green (Ashford) (Con): May I wish my right hon. Friend well, particularly at the start of his negotiations this afternoon? Amid all this talk of no deal, can he reassure me and the House that it is still the British Government’s intention and expectation that they will be able to reach a good deal in these negotiations?

Dominic Raab: My right hon. Friend is absolutely right. He will have seen from the White Paper that we have set out the approach that we are taking—the strategy that we have. I will be out in Brussels today because we do need to step up the pace, the intensity and the heat of the negotiations. But, at the same time, the only responsible thing for the Government to do is to prepare for all eventualities out of these negotiations.

Hilary Benn (Leeds Central) (Lab): The Secretary of State will be only too well aware that, without an agreement on a backstop for the border between Northern Ireland and the Republic, there will be no withdrawal agreement. The technical note on customs arrangements that the Government published last month was only half a backstop because, as the paper itself acknowledged, it would need to have added to it something on regulation. Now that the Government have committed to a common rulebook in the White Paper, can the Secretary of State today confirm that that will now be added to the proposal for a backstop so that he can make progress on it?

Dominic Raab: The right hon. Gentleman is absolutely right to talk about the progress that we have undoubtedly made with our European friends on the withdrawal agreement, but to say that issues such as Northern Ireland remain to be resolved properly. He is also right to say that the White Paper and the proposals have a principled but flexible approach that will allow us to make sure that we not just continue the frictionless trade but avoid any issues at the border. We will obviously take forward those negotiations today, and I look forward to discussing this with Michel Barnier later.

Mr Speaker: I call Rachael Maskell. [Interruption.] I mean Rachel Maclean—I do beg the hon. Lady’s pardon. They are both very distinctive, and it is my fuzzy memory, not their lack of distinctiveness. I do apologise to both of them.

Rachel Maclean (Redditch) (Con): Thank you, Mr Deputy Speaker—[Laughter.] Oh, I am sorry, Mr Speaker. It is obviously flattering to be confused with the hon. Member for York Central (Rachel Maskell).

My constituents voted to leave the EU because they did not want our laws to be made by bureaucrats in Brussels—they wanted our laws to be made by our own country. Can the Secretary of State, who I know shares this ambition, reassure my constituents that the Chequers proposal will allow our laws to be made in our country after we leave the EU?

Dominic Raab: My hon. Friend is absolutely right. We have made a narrow exception where there will be a common rulebook for agricultural goods and manufactured goods at the border, but only to the extent that that is necessary to ensure frictionless trade—and even there, elected Members in this House will have the last word. Of course, the UK Supreme Court will finally do what it says on the tin, which is to have the last word on the application of the laws of the land.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Fears that the schism at the heart of the Tory party is driving the country towards a no deal Brexit are once again on the rise, and it is clear that the new Secretary of State is stepping up preparations for such a scenario.
Will he therefore tell the House what specific advice his Department is giving to the financial services sector on how to prepare for an EU departure without a deal?

Dominic Raab: I thank the hon. Gentleman. Of course, many of the banks and people in the City are already preparing and are very confident that they can withstand any of the uncertainty in relation to Brexit negotiations. We have been preparing for some time now. I pay tribute to my hon. Friend the Member for Wycombe (Mr Baker) for all the preparatory work that he has done. We will be starting to step up some of those preparations. Some of that will become more publicly facing in the weeks and months ahead. That is necessary, and any responsible Government would have to do it. We will obviously set out the details of that shortly.

Sir Desmond Swayne (New Forest West) (Con): But all our manufactures will have to be produced in full accordance with the acquis, will they not?

Dominic Raab: I understand my hon. Friend’s concern, but the common rulebook relates only to those particular rules that relate to the border, to enable frictionless trade. We will ensure, through technical-level consultations, that we have a voice in the formation of those rules. Ultimately, it will be for this House to say yes or no to whether those rules become the law of the land.

Support for Farmers

2. Peter Heaton-Jones (North Devon) (Con): What recent discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on support for farmers after the UK leaves the EU.

11. Michelle Donelan (Chippenham) (Con): What recent discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on support for farmers after the UK leaves the EU.

The Secretary of State for Exiting the European Union (Dominic Raab): We work closely with the Secretary of State for Environment, Food and Rural Affairs on farming support. The Government will provide the same cash total in funds for farm support until the end of the Parliament, maintaining stability for farmers as we grow our world-leading food and farming industry in a sustainable way.

Peter Heaton-Jones: Will my right hon. Friend confirm that the Government’s policy is to leave the customs union, leave the single market, leave the common fisheries policy and leave the common agricultural policy, and that the Government are committed to the fact that in that new framework North Devon’s farmers will continue to thrive outside the EU?

Dominic Raab: My hon. Friend is absolutely right. Indeed, our White Paper confirms that the United Kingdom will leave the single market and the customs union. Outside the CAP and the CFP, we will be free to develop a domestic agriculture policy that works in the best interests of farmers in North Devon and across the UK, and at the same time we will become an independent coastal state with full control over our waters.

Mr Speaker: Order. I have just been advised that the hon. Member for Chippenham (Michelle Donelan) is not here. She has not yet been able to access the building. If she gets here later, I will try to accommodate her, but it means for the time being that the group falls.

Rachael Maskell (York Central) (Lab/Co-op): The chemicals regulation division of the Health and Safety Executive regulates biocides and pesticides under the EU REACH—registration, evaluation, authorisation and restriction of chemicals—regulation. The pesticides have to be tested within the EU, so we will lose that work on 29 March 2019. Will the Government buy into the new replaced EU body, losing 300 jobs in York and Bootle, or will they be forced into having separate EU testing, placing additional costs on farmers?

Dominic Raab: Obviously, that is subject to negotiation, but I understand the concern that the hon. Lady has raised. We will seek to pursue a relationship whereby we are engaged with the regulatory structures in Europe to ensure that we have continuity and stability in that sector.

Stephen Gethins (North East Fife) (SNP): I congratulate the Secretary of State on his elevation to Cabinet. A number of leavers suggest that the governing classes or the establishment are calling the shots on Brexit and that that is why it is such a mess. Farmers in my constituency want to know who is calling the shots—is it the Secretary of State?

Dominic Raab: No, it is the Prime Minister and the Cabinet. I will be deputising for the Prime Minister in the negotiations. I will be out seeing Michel Barnier shortly, and I hope that I can attest to his full support for the White Paper.

Jenny Chapman (Darlington) (Lab): Not so long ago, the Secretary of State, in a burst of youthful exuberance, published a blog. It was not that racy.

Jenny Chapman: “We need to deregulate…the common market”.

Does he still agree with his own manifesto for Britain?

Dominic Raab: In all those areas, as important as they are and whatever the different views across the House on those sensitive matters, the crucial thing is that elected Members in this House have the last word on the laws of the land. I share her concern about those areas and her interest. Why on earth would she want to abdicate responsibility for law making to Brussels, when in this House we need to be accountable to our constituents?

Jenny Chapman: For British farmers to trade successfully with Europe, we must remain on the same level playing field, with common standards and regulations. The president of the National Farmers Union said earlier this year that “the floor is for our standards to be in line with the rest of Europe”.

Does the Secretary of State agree with the Farmers Union or himself?

Dominic Raab: I think that he has welcomed the White Paper—
Jenny Chapman: She!

Dominic Raab: She has welcomed the White Paper, but I would gently say to the hon. Lady that the CAP’s land-based subsidy and the bureaucratic structure that goes with it has held back productivity in this country and has not delivered the scale of environmental improvement we need. When we leave the common agricultural policy, we will make sure that we have the best agricultural but also environmental policy for this country.

Michelle Donelan rose—

Mr Speaker: Let me just say to the hon. Lady that it was a reckless door or barrier—electronic or otherwise—that sought to deny her access to the House, but she is with us now and we look forward to hearing her.

Michelle Donelan: Thank you for your patience, Mr Speaker. Leaving the EU provides opportunities for Wiltshire farmers; hence why they voted to leave. Does my right hon. Friend agree that making our own decisions for farmers to suit farmers will ensure that their interests are better protected?

Dominic Raab: My hon. Friend is absolutely right. We want a more dynamic, more self-reliant agricultural industry as we continue to compete internationally, supplying products of the very highest standard for the domestic market and increasing exports. We also want a reformed agricultural and land management policy to deliver a better and richer environment for Wiltshire and across the UK.

Economic and Social Rights

3. Mr Virenda Sharma (Ealing, Southall) (Lab): Whether the Government plan to take steps to maintain economic and social rights as part of their negotiations on the UK leaving the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): The White Paper published last week makes it clear that the Government are committed to high levels of social and employment protection and proposes a reciprocal non-regression requirement for domestic labour standards. The paper also proposes a mutual commitment to individual rights, noting that the UK will remain a party to the European convention on human rights after it has left the EU. This is also reflected in the European Union (Withdrawal) Act 2018, which maintains existing rights protection as part of EU retained law.

Mr Sharma: I thank the Minister very much for her response. In 2009, the Secretary of State said that he did not believe in economic and social rights. How can he guarantee that he will not use Brexit as an excuse to slash protections for minorities and workers?

Suella Braverman: The Secretary of State is experienced and has a proven track record not only as a Justice Minister but as a lawyer, and any attempt to undermine his credentials and commitment to the rule of law, civil liberties and now delivering a successful Brexit is fundamentally misguided. The Government have made it clear—not just in the White Paper, but on numerous occasions during the passage of the European Union (Withdrawal) Act—that leaving the EU does not mean a diminution of human rights.

Mr Marcus Fysh (Yeovil) (Con): My right hon. Friend the Secretary of State referred earlier to the mooted common rulebook as very narrow, but when we look at what is necessary for free circulation, it is actually extremely wide. I am concerned that the parliamentary lock in the White Paper is actually unworkable, because there will be the sword of Damocles of a hard border in Ireland should we derogate from any of it. Does my hon. Friend remember that decades of Conservative manifestos have committed to retaining or increasing our autonomy over such regulations?

Suella Braverman: I thank my hon. Friend for his comments. I know what an indefatigable campaigner he is for the UK leaving the European Union, and his expertise on this issue is well known. At the end of the day, the common rulebook is going to be subject to a parliamentary lock, and it also reflects rules on goods that have not changed for many decades.

Paul Blomfield (Sheffield Central) (Lab): The Minister rightly points out that the White Paper proposes non-regression clauses on environment regulations and on social and employment protections. In 2016, however, the Secretary of State wrote in The Times that Brexit was an opportunity to “ditch” the “100 most burdensome EU regulations”. He took exception to the agency workers regulation, for example, on the grounds that it “gives agency workers the right to the same basic employment and working conditions as full-time staff”.

Does the Minister agree with the White Paper or with her Secretary of State?

Suella Braverman: The Government have been clear in the White Paper that our commitment to rights protection is unequivocal and that how those rules are applied is ultimately a decision for Parliament. May I remind the hon. Gentleman that rights do not emanate from the EU? We have our own rich and proud tradition of civil liberties, such as the Race Relations Act 1965 or the Equal Pay Act 1970, and we acceded to those critical pieces of legislation before our accession to the European Economic Community.

Tom Tugendhat (Tonbridge and Malling) (Con): I understand my hon. Friend’s position on guaranteeing UK rights—indeed, I respect her position, which is that UK rights need no foreign courts to guarantee them. Perhaps she can help me understand how she views the rights of others on our continent. The great achievement of many of our people in the past 50 years has been the extension of those rights, yet today I see lists of Jews being suggested in Vienna, and I hear about the erosion of the rule of law in other parts of eastern Europe. What will be the Government’s position on making sure that those human rights still exist?

Suella Braverman: I thank my hon. Friend for his question. As I said, we have a long and proud tradition, which predates our membership of the EU, to protecting civil liberties, upholding human rights and enhancing
the position of the individual, whether through the rule
of law or our commitment to the ECHR. Brexit will not
change that.

Withdrawal Agreement Negotiations

4. Mr John Whittingdale (Maldon) (Con): What recent
progress he has made on negotiations with the EU on a
withdrawal agreement. [906538]

16. Nigel Huddleston (Mid Worcestershire) (Con): What recent progress he has made on negotiations on
the UK leaving the EU. [906550]

18. Stephen Metcalfe (South Basildon and East Thurrock)
(Con): What recent progress he has made on negotiations
on the UK leaving the EU. [906552]

The Secretary of State for Exiting the European Union
(Dominic Raab): On 19 June, we published a joint
statement on the draft withdrawal agreement, setting out
our progress in agreeing the text on a majority of separation
issues. Negotiations are ongoing, and my officials are in
Brussels. With last week’s publication of the White
Paper, we hope to intensify negotiations on the future
relationship.

Mr Whittingdale: Does my right hon. Friend agree
that the financial settlement contained in the withdrawal
agreement is one of our strongest bargaining cards?
Will he therefore include in the Bill provisions to ensure
that its full payment is conditional on our achieving a
satisfactory outcome to negotiations?

Dominic Raab: As ever, my right hon. Friend makes a
powerful point, and as the EU says, there is no deal
until the whole deal is concluded. The withdrawal agreement
must come alongside a framework for the future partnership
agreement—article 50 requires that—and if one party
does not meet its side of the bargain, that will inevitably
have consequences for the deal as a whole.

Nigel Huddleston: The Secretary of State will be
aware that the UK has a near £70 billion trade deficit
with the EU, and it is transparently in the EU’s interest
to get a deal that keeps trade flowing. Is he aware
whether European businesses and companies are lobbying
EU negotiators and Governments to ensure a mutually
beneficial deal?

Dominic Raab: My hon. Friend is right. The Government
have a regular and productive dialogue with the European
business community, and in those discussions we highlight
our common interests with those businesses. It is important
that their voice is heard because a lot is at stake, not just
for UK businesses and jobs, but for European businesses
and jobs.

Stephen Metcalfe: Does the Secretary of State agree
that remaining inside the customs union or the single
market would be a breach of the outcome of the referendum
and totally undermine the trust of the British people?

Dominic Raab: My hon. Friend is right. Not only
would it be a breach of the referendum, but every hon.
Member, at least on the Government Benches, went
into the last election promising our constituents that we
would leave the customs union and the single market.
Crucially, the White Paper forges a plan that can deliver
that, while maintaining the strong relationship that we
want with our European friends.

Helen Goodman (Bishop Auckland) (Lab): PPG
Industries in my constituency provides 200 jobs. It tells
me that if we leave the European Chemicals Agency, it
will have to close. Will the Secretary of State commit to
the common rulebook and not to making any compromises
on that part of the White Paper?

Dominic Raab: The hon. Lady is right to point to that
issue, but she also mentioned the White Paper. She will
know that we are committed to staying with a strong
regulatory relationship with our EU partners, for precisely
the reasons she gave.

Nick Smith (Blaenau Gwent) (Lab): Given that so
many of his friends and colleagues want to bring down
the Prime Minister, how will the Brexit Secretary get his
withdrawal agreement through in the autumn?

Dominic Raab: The same way that we got the customs
Bill through this week—by working hard, listening to
all sides and delivering for the people of the United
Kingdom.

Jim Shannon (Strangford) (DUP): My constituency
of Strangford depends greatly on the agri-food sector
for employment, jobs and opportunities. With reference
to the border in Northern Ireland, will the Secretary of
State explain how he intends to foster cross-border
trade in a safe and effective way?

Dominic Raab: The hon. Gentleman will know from the
White Paper that we have set out a paradigm that
works, not just for trade between the UK and the EU,
but that specifically will avoid any return to a hard
border in Northern Ireland. We now need to take that
proposal to our European friends. I will see Michel
Barnier later this afternoon, and I will be sure to convey
to him the hon. Gentleman’s concerns.

International Broadcasting Businesses

5. Christine Jardine (Edinburgh West) (LD): What
recent discussions he has had with the Secretary of
State for Digital, Culture, Media and Sport on negotiating
a deal to support international broadcasting businesses
maintaining their UK base after the UK leaves the EU.
[906539]

The Parliamentary Under-Secretary of State for Exiting
the European Union (Suella Braverman): The Department
is working closely with the Department for Digital,
Culture, Media and Sport to understand the complexities
of the issue relating to broadcasting. Together we are
listening to the international broadcasting sector to
understand its needs and concerns. I was very pleased
to address the Creative Industries Federation in March.

Christine Jardine: Is the Minister aware that the Commercial
Broadcasters Association has expressed its concern about
the lack of clarity in the Government’s proposals post Brexit,
particularly for international TV channels based in the
UK, which are currently worth more than £1 billion to
the economy and provide one in five jobs in the broadcasting sector? At the moment, UK-based international TV channels have a licence for the rest of the EU, and the Commercial Broadcasters Association is concerned that it is not clear whether that will continue. We are already seeing international broadcasters moving, so what steps are the Government taking?

Suella Braverman: The Prime Minister’s Mansion House speech committed to exploring creative options, with an open mind, to replace the country of origin principle enshrined in the audiovisual media services directive. The UK’s position represents the best credible proposal for the future relationship. It reflects the EU’s aim, as stated in Council guidelines, of allowing market access to provide services under host state rules.

Thangam Debbonaire (Bristol West) (Lab): What steps he is taking to ensure that negotiations on the UK service providers as part of the future partnership between the UK and the EU support the UK’s service industry.

Mr Speaker: The hon. Member for Bristol West (Thangam Debbonaire) is leaping to her feet with a vigour and enthusiasm that reminds me of my younger self.

Thangam Debbonaire: Thank you, Mr Speaker. Given that the advice the Government now seem to be hinting at—that businesses should prepare for a no-deal situation—looks an awful lot like the consequences that we remainers were criticised for raising during the referendum as “Project Fear”, does the Minister understand why the creative and digital industries in my constituency, of which there are many, do not trust the Government to negotiate on their behalf one little bit?

Mr Speaker: Very creative.

Suella Braverman: I know how experienced the hon. Lady is in the arts sector. The White Paper proposes new arrangements for services and for the creative and digital sectors, recognising that the UK and the EU will not not have the current levels of access to each other’s markets. The EU and the UK included broadcasting in the joint list of topics for discussion in the future framework, which reflects our shared understanding of the importance of the sector as a whole. Obviously, it is the responsible duty of the Government to prepare for all outcomes.

Rights, Standards and Protections

6. Mohammad Yasin (Bedford) (Lab): What steps he is taking to ensure that there is no change to rights, standards and protections derived from the EU after the UK leaves the EU. [906540]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): The UK has a long-standing tradition of ensuring that our rights and liberties are protected domestically, and of promoting high standards across a range of issues on the international stage. The EU withdrawal Act 2018 will ensure that, wherever practical, the same rights, standards and protections apply after exit. We will not engage in a race to the bottom in the standards and protections we set.

Mohammad Yasin: The recent White Paper committed the UK to membership of the European convention on human rights. Will the Minister confirm that the Human Rights Act 1998, which puts that in domestic law, embodies that commitment to the people of the UK and our European partners?

Mr Walker: Yes.

Mr Speaker: Well done.

 Alison Thewliss (Glasgow Central) (SNP): One of the most tangible benefits of the EU for my constituents is their ability to travel across the EU and not pay roaming charges on mobile phones. Will the Minister guarantee that once we leave the EU, my constituents will still be able to travel and not pay roaming charges?

Mr Walker: The hon. Lady raises an interesting point. I do not see how it relates to rights, standards and protections, but we will be discussing the matter with commercial operators in the sector. A number of key UK providers have already said that they do not intend to apply roaming charges.

Mr Peter Bone (Wellingborough) (Con): The question relates to when we leave the EU, and I have a little digital thing on my phone that says that we are going to leave in 253 days’ time. There has been a lot of talk in the media today about the Government considering extending the article 50 period and the exit date. Will the superb Minister lay that rumour to rest, and confirm that the Prime Minister will stick to her guns and that we will leave on 29 March next year?

Mr Walker: I am happy to reassure my hon. Friend that, as it says in the EU (Withdrawal) Act, and as is clear in the White Paper, we are going to leave on 29 March next year.

21. [906556] Diana Johnson (Kingston upon Hull North) (Lab): The European arrest warrant is a protection, so will the Minister update us on whether, when we leave the EU, the negotiated position that his Government will arrive at with the EU will give us the same protections that we currently have to arrest and detain criminals, which my constituents are really concerned about?

Mr Walker: We are very clear in the security partnership section of the White Paper that we are seeking the same levels of protection. We are seeking to engage with the EU on how these issues can be arranged between us so that we maintain the protections that we have now.

UK Service Industry

7. Sandy Martin (Ipswich) (Lab): What plans he has to negotiate for the retention of market access for EU service providers as part of the future partnership between the UK and the EU. [906541]

17. Tom Brake (Carshalton and Wallington) (LD): What steps he is taking to ensure that negotiations on the UK’s exit from the EU support the UK’s service industry. [906551]
with the EU. For services, our ambitious and credible proposals include guaranteeing that suppliers and investors can operate across a broad number of sectors, enabling firms to establish cross-border services, ensuring that professionals continue to get their qualifications recognised, and establishing a new economic and regulatory partnership for financial services.

Sandy Martin: Successive British Governments have expended significant effort and time on negotiating a single market in services in the EU, achieving a 40% increase in services exports since 2010 as a result. How long does the Minister think that it will take to negotiate a similarly open market in services with other parts of the world, and what does he suggest my constituents working in insurance and IT do in the meantime?

Mr Walker: The White Paper sets out a number of proposals for the services sector on how we can maintain those benefits, but we have also been growing our services trade with the rest of the world. The hon. Gentleman mentioned a 40% growth in trade with the EU, but there has been a 70% growth in UK services exports to countries outside the EU over the past decade. Our UK services industry is world leading and will continue to be as we go through this process.

Tom Brake: In preparing for negotiations, a responsible Government would establish the impact on the services sector of both the Chequers agreement and no deal, so will the Minister confirm how the profitability, job creation potential and ability to export to the EU of the services sector would be affected if either the Chequers proposals or no deal were reached with the European Union?

Mr Walker: The right hon. Gentleman will know that the UK has a world-leading services sector. As we have just discussed, it is exporting both to the EU and the rest of the world very successfully. Sadly, the single market in services was never completed. I think that our services sector will remain hugely profitable and a huge success story for the UK throughout this process.

Mr Pat McFadden (Wolverhampton South East) (Lab): The White Paper says repeatedly that on services, which make up 80% of the UK economy, the Government’s proposals will mean less market access for UK businesses to European markets compared with at present. Have the Government made an assessment of the impact of this lower level of market access, either on the volume of trade or the impact on jobs?

Mr Walker: As the right hon. Gentleman will know, we have been engaging with businesses across the whole economy, which of course includes our world-leading services sector. It is clear that the advantages that make the services sector world leading are created here in the UK. We will make sure that the services sector has the right arrangements to continue to do business within Europe and to continue to have qualifications recognised but, of course, we are leaving the single market and there will be changes as a result.

Contingency Plans

8. Martyn Day (Linlithgow and East Falkirk) (SNP): What contingency plans his Department has made for no deal being reached on the UK leaving the EU. [906542]

20. Giles Watling (Clacton) (Con): What contingency plans his Department is making in the event that the UK leaves the EU without a deal. [906555]

23. Alan Brown (Kilmarnock and Loudoun) (SNP): What contingency plans his Department has made for no deal being reached on the UK leaving the EU. [906558]

The Parliamentary Under-Secretary of State for Exiting the European Union (Chris Heaton-Harris): We have made significant progress in negotiations and are confident that we will secure a deal with the European Union. However, as a responsible Government, we are continuing to prepare for all possible outcomes.

Martyn Day: There has been recent press speculation that the Government are considering emergency measures that would include the stockpiling of food and medicines. Will the Minister confirm whether that is accurate? If so, what would be the proposals for the distribution of those stockpiles?

Chris Heaton-Harris: Departments’ plans are well developed and designed to respond to all scenarios, including the unlikely possibility that we leave the EU without a deal. Some contingency plans have already become evident and more will become public over the coming weeks.

Giles Watling: If, in the end, there is no deal, can my hon. Friend assure me that the Government’s contingency plans will take into account often overlooked areas, such as Clacton?

Chris Heaton-Harris: Clacton, Mr Speaker, is never overlooked by its Member of Parliament. The Government are engaging with businesses and other stakeholders in every region of the United Kingdom in order to understand the challenges and opportunities that may have an impact on them. Later this year we will consult on the new UK shared prosperity fund, which will give us an opportunity to consider carefully how we should address barriers to growth and tackle inequalities faced by all parts of the country, including rural and coastal areas such as my hon. Friend’s Clacton constituency.

Alan Brown: The Government’s own analysis shows that no deal would be a financial disaster, and this week the Governor of the Bank of England warned that a no deal Brexit would have “big economic consequences” for the UK. The White Paper was a sham: it just talked about “exploring options”. Does the Minister agree that the Government need to do a lot more than explore options, and that they should work hard to secure a deal, rather than facing a no deal scenario?

Chris Heaton-Harris: Obviously we would much rather have a very good deal with the European Union than not, and most of the work in my Department is focused on that, but we must prepare for every scenario. As for the gentleman whom the hon. Gentleman quoted, let me finish that quotation by saying that the financial consequences for the EU would be far greater.
Mr Steve Baker (Wycombe) (Con): I congratulate my hon. Friend on his new position. There is absolutely no one whom I would rather see in his job at this time, and I wish him every possible success.

Papers that are available to my hon. Friend will show that as long ago as October, I was seeking to create a parliamentary moment to galvanise the whole Government to prepare not only for the unwanted contingency of no deal, but for all scenarios, including the end of the implementation period. Will he now use the collective agreement reached at Chequers to go out and galvanise the whole Government to deliver, in the knowledge that that is not something that the Department for Exiting the European Union can direct, and that it will require those at the very top of the Government to mobilise every Department?

Chris Heaton-Harris: I thank my hon. Friend for his question, and for leaving me an unbelievable quantity of reading to do because of the diligent way in which, as he rightly says, he prepared for every scenario.

Peter Grant (Glenrothes) (SNP): I welcome the Secretary of State and the Minister to their elevation to the governing classes. Given that the Minister’s predecessor has now chosen to reveal some of what was in unpublished Cabinet papers, I hope we can expect to see the rest published quite soon.

Today Her Majesty’s inspectorate of constabulary for England and Wales warned police forces that they need to be ready for an increase in hate crime after we leave the European Union. Does that take the Government by surprise?

Chris Heaton-Harris: I had not heard about that particular report, so I cannot comment on it. What I can say is that, in preparing for no deal, we have already recruited 300 extra staff to police our borders, and we have an ongoing programme to recruit a whole load more.

Peter Grant: With the greatest respect, hate crime is not committed by people who cross our borders to come here; it is committed by people who are already here, all too often provoked by irresponsible and inflammatory language from those who really should know much better. I ask the Minister again: did the Government realise before the publication of today’s report that Brexit—intentionally or unintentionally—would create a climate in which hate crime was more likely to take place?

Chris Heaton-Harris: I am afraid that I do not recognise the basis for the hon. Gentleman’s question—I do not believe that in the slightest. I can only point out to him that a group of people called the “cybernats” were not particularly pleasant in the run-up to the Scottish referendum.

Dr Sarah Wollaston (Totnes) (Con): Crashing out with no deal looks increasingly likely, particularly as former members of the Government have stated that they intend to undermine a deal. What is needed now is a plain English guide to the consequences of no deal for individuals, families, communities and businesses. Will the Minister commit himself to publishing such a guide so that people can see the consequences and step away from the edge of the cliff?

Chris Heaton-Harris: As my—right hon. Friend?

[Interjection.] It is only a matter of time; everything comes to those who wait.

As my hon. Friend knows, because she chairs the Liaison Committee, the Prime Minister said yesterday that a whole bunch of technical notices would be produced for exactly that purpose.

Hywel Williams (Arfon) (PC): We have already heard a great deal about no deal and potential problems at Dover. What are the Government’s plans in respect of the second busiest roll-on/roll-off port in the UK, which is Holyhead?

Chris Heaton-Harris: The Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), has already met representatives from Holyhead. I look forward to travelling around the country, visiting such places and listening to what people have to say.

Fishing Policy

9. Peter Aldous (Waveney) (Con): What recent discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on negotiations with the EU on fishing policy for when the UK leaves the EU. [906543]

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): We work closely with Ministers and officials from all Departments, including DEFRA, to further our preparations for exit from, and a new partnership with, the EU. This includes discussions on the recently published future framework White Paper and the fisheries White Paper.

Peter Aldous: I am grateful to the Minister for that answer. Can she confirm that her Department shares the commitment of the Secretary of State for Environment, Food and Rural Affairs to the UK having full control of our territorial waters when we leave the EU, with trade in fish and fish products being a completely separate matter, and that there will be no trade deals linked to access to our fisheries?

Suella Braverman: The Government are clear that upon our exit from the European Union the UK will be an independent coastal nation free to set our own rules including on access to our waters and fisheries policies, and we seek to agree a process for future annual negotiations with the EU on access and fishing opportunities. I hope that that reassures my hon. Friend that we will be taking back control of this significant sector of our economy.

Melanie Onn (Great Grimsby) (Lab): With our leaving the EU next year, access to European funds that have done a great deal for fishing communities around coastal areas will be lost. Will the Government themselves replace those funds in the same way that they propose to deal with funding for farmers?

Suella Braverman: I was delighted to visit the hon. Lady’s Grimsby constituency earlier this year and I know how energetic she is as a representative of her constituents. The fundamental principle, as set out in the fisheries White Paper and the future framework, is that we—this Parliament—will be in control of how we distribute funding, how we set the rules and how we empower our fishing communities around the country.
Mr Speaker: I tell the hon. Member for Great Grimsby (Melanie Onn) that I have not visited her constituency recently, but during the general election campaign, in Buckingham, in the market square in Winslow, I did buy, and then consume, fish that was, of course, from Grimsby.

Martin Vickers (Cleethorpes) (Con): Notwithstanding what the Minister has said and what her colleagues have said on previous occasions, she will be aware that in fishing communities there are still concerns that the Government will use fishing in some way and make further concessions. Can she give an absolute guarantee that there will be no further concessions on fisheries?

Suella Braverman: Again, I was very happy to visit my hon. Friend’s constituency as part of my travels as a Minister. Like him, I represent a coastal constituency, where we know that our fishermen work very hard to earn their livings. The Government have been absolutely clear that once we leave the EU and no longer abide by the common fisheries policy, we will be an independent coastal state managing our fisheries and controlling access to our own waters. I hope that that reassures my hon. Friend.

International Business Community

10. Jeremy Lefroy (Stafford) (Con): What steps is he taking to ensure that the Government engage with the international business community during negotiations on the UK leaving the EU. [906544]

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): The Government have regular and productive dialogue with the international business community, and the DExEU ministerial team has visited 18 EU member states this year alone, meeting businesses to understand their priorities and explain how our proposals enable businesses to thrive. Tomorrow, the Secretary of State and the ministerial team will be meeting business leaders from a number of countries at Chevening House, which is a dedicated opportunity to hear from them.

Jeremy Lefroy: One issue that the business community has raised is continuing access to the working and investment capital currently supplied through the European Investment Bank. What arrangements are the Government making to ensure that continued flow of capital to our businesses?

Suella Braverman: My hon. Friend is right to point out that investment is crucial for the economic future of our nation and of the wealth creators in our country. The UK believes it may be mutually beneficial to maintain some form of ongoing relationship with the European Investment Bank, and we are exploring those options now.

Nic Dakin (Scunthorpe) (Lab): What assessment have the Government made of the costs to international and domestic business of preparing, amidst the chaos of this Government, for all the possible outcomes of new relationships with the EU?

Suella Braverman: As has been set out this morning on many occasions, the Government are carrying out extensive preparations for all outcomes. No deal is not our objective, but we are preparing for that scenario, as is responsible and expected. Our future framework White Paper, however, sets out how we see our economic relationship working with the EU so that UK and EU businesses can continue to trade fruitfully as we leave the EU.

Wera Hobhouse (Bath) (LD): Following on from that question, when will the Minister’s Department properly publish an impact assessment for all sectors on the impact of a no deal scenario, in contrast to the shambles that we saw at the end of last year?

Suella Braverman: The Government have been clear that we will provide the appropriate analysis at the time that a deal is presented to Parliament. Many predictions of impacts and outcomes were made at the time of the referendum, but let us look at the facts. Manufacturing is at a record high, exports are rising faster than imports, and unemployment is at its lowest in 40 years. Let us base our predictions on the facts, not on scaremongering.

Devolved Administrations

12. Chris Law (Dundee West) (SNP): What discussions his Department has had with the devolved Administrations on the content of the White Paper on the future relationship between the UK and the EU, published on 12 July 2018. [906546]

13. Andrew Bowie (West Aberdeenshire and Kincardine) (Con): What discussions has he had with the Scottish Government on their preparations for the UK leaving the EU. [906547]

22. Neil Gray (Airdrie and Shotts) (SNP): What discussions his Department has had with the devolved Administrations on the content of the White Paper on the future relationship between the UK and the EU, published on 12 July 2018. [906557]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Extensive discussions were held with the devolved Administrations through the Joint Ministerial Council for EU negotiations and the ministerial forum for EU negotiations, which I chair, and at official level, to ensure that their views were taken into account in finalising the White Paper.

Chris Law: If that is the case, will the Minister tell the House why the White Paper includes absolutely no mention of how the UK Government will include the devolved Administrations in the development of new trade relationships with the EU?

Mr Walker: There are many references, which I was pleased to talk through on the day of the publication of the White Paper with a Minister from the Scottish Government, and indeed a Minister from the Welsh Government, a number of which they welcomed.

Andrew Bowie: It will come as no surprise to anyone here that the Scottish National party do not want to make a success of Brexit. They want to wreck Brexit and wreck our United Kingdom, and the implementation Bill is designed to do just that. Can my hon. Friend assure me that he is doing all he can to ensure the
implementation of the European Union (Withdrawal) Act 2018 across the whole of the UK, to enable the smooth transition out of the EU that is needed for business and the economy to thrive?

**Mr Walker:** I agree with my hon. Friend, but significant concerns remain about whether UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill is within the competence of the Scottish Parliament. As he knows, the Supreme Court will be considering that matter next week. I remind the House that the Government have worked hard over the past year to try to secure the support of the Scottish Government for the European Union (Withdrawal) Act 2018. However, we could not go as far as the Scottish Government would want, because it cannot be right that one legislature in one part of the UK should be able to veto the approach of the Union when there is agreement on the UK-wide framework.

**Neil Gray:** Given that the implementation of the agreements reached between the EU and the UK will be in devolved areas of competency, why was there not proper discussion with Scottish Ministers in advance about how that would happen? When will those discussions take place?

**Mr Walker:** There has been regular discussion between the Government and Scottish Ministers, including ahead of the White Paper, and those discussions will continue. We will continue to work with the Scottish Government in good faith on the arrangements for a future partnership with the EU and on preparations for contingency planning.

**Patrick Grady (Glasgow North) (SNP):** I think that the Government are still planning to bring forward a withdrawal agreement and implementation Bill in due course, so will the Minister tell us whether that will require legislative consent from the devolved institutions? Will he also tell us whether he expects it to have to amend or repeal any aspects of the customs and trade Bills that we have been debating this week?

**Mr Walker:** We will be bringing forward more detail on that legislation shortly. This is something that we have already discussed in some depth with the Scottish Government through the ministerial forum for EU negotiations.

### Intellectual Property Rights

14. **Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP):** What steps his Department is taking during its negotiations on the UK leaving the EU to ensure that intellectual property rights in the creative sector are maintained. [R]  

**Mr Walker:** I welcome the new Ministers to their jobs. As we have seen this week, the Government’s Brexit plans are in tatters. What assurances can the Minister give the House, my constituents and residents across the country that no deal is in fact the worst of all worlds and that the jobs of hard-working people in Scotland will not be sacrificed to keep this Tory party together?

15. **Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab):** What assessment the Government have made of the potential merits of negotiating an association agreement as part of the future partnership between the UK and the EU.

**The Parliamentary Under-Secretary of State for Exiting the European Union (Chris Heaton-Harris):** We are committed to securing a deal that works for the entire UK, including Scotland. We approach the negotiations anticipating success and neither want nor expect a no deal outcome. The Government are undertaking a wide range of ongoing analysis across a range of scenarios in support of our EU exit negotiations and preparations.

**Hugh Gaffney:** I thank the hon. Gentleman for welcoming me to my new role. If the Labour party had supported us, no deal would have been far away and a deal would have been on the table.

### Association Agreement

19. **Karin Smyth (Bristol South) (Lab):** What assessment he has made of the potential merits of negotiating an association agreement as part of the future partnership between the UK and the EU.

**The Secretary of State for Exiting the European Union (Dominic Raab):** As we set out in the White Paper, the future UK-EU relationship is likely to consist of several separate agreements covering different elements of economic, security and cross-cutting co-operation, and those arrangements could take the form of an association agreement.
Karin Smyth: I thank the Secretary of State for that answer. According to the European External Action Service, an association agreement must offer “a privileged relationship” between the European Union and its partner and must create enforcement bodies that are “competent to take decisions that bind the contracting parties”. Will the Secretary of State confirm that that is now the Government’s aim?

Dominic Raab: I thank the hon. Lady for her question. An association agreement is a flexible legal form. It is a term of art in general international law, but it does require binding treaty arrangements. In relation to recourse for dispute settlement, we have set out detailed proposals in the White Paper for arbitration, and that obviously has the advantage, whether it is a three or five-person arbitration panel, of being balanced. The UK and the EU will be able to appoint arbitrators to the panel, so disputes can be resolved with good faith, trust and confidence on both sides.

**Industrial Chemicals Regulation**

24. **Maggie Throup** (Erewash) (Con): What progress has he made in negotiations on ensuring continued co-operation with the EU on the regulation of industrial chemicals after the UK leaves the EU?  

Dominic Raab: The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): As set out in the White Paper, the UK seeks participation in the European Chemicals Agency, which will ensure that products go through only one approval mechanism to access both UK and EU markets. Given the sector’s complex multinational supply chains and the well-developed regulatory framework, there is a strong incentive for the UK and the EU to continue co-operation in this area.

Maggie Throup: I thank the Minister for that answer. Much of Britain’s manufacturing and engineering sector relies heavily on an uninterrupted supply of industrial chemicals, which are used on the production line to carry out processes such as non-destructive testing. Will my hon. Friend update the House on what progress has been made in negotiations with the EU on the REACH regulations? Will he reassure businesses in Erewash that they will continue to have ready access to industrial chemicals after we leave the EU?

Mr Walker: As the hon. Lady says—I recognise this from my constituency, too—chemicals are an important part of production input, and the proposed free trade area for goods, underpinned by a common rulebook, will protect existing supply chains. Our proposals will ensure that products meet the necessary regulatory requirements for both the UK and EU markets, removing the need for regulatory checks at the border, and will mean that existing chemicals regulations and authorisations will remain valid in both markets.

**Topical Questions**

T1. **Tom Pursglove** (Corby) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Exiting the European Union (Dominic Raab): Last week, the Government published their White Paper on the future relationship between the UK and EU. Today, I will travel to Brussels to meet Michel Barnier to discuss the negotiations, and I look forward to working with him to secure a deal in the best interests of both the United Kingdom and our European partners.

Tom Pursglove: What steps is my right hon. Friend taking to bolster and emphasise the importance of no deal planning across Government?

Dominic Raab: Most of our no deal preparation has been developed internally with targeted engagement with the relevant parties, but we are now at the point at which more of that delivery will start to become more public. Over the summer, the Government will release a series of technical notices to set out what UK businesses and citizens in various sectors will need to do in a no deal scenario and to make public more of our preparations. That is the responsible thing for any Government to do.

Keir Starmer (Holborn and St Pancras) (Lab): Yesterday, the former Brexit Minister, the hon. Member for Wycombe (Mr Baker), made a direct threat to the Secretary of State that Conservative MPs on his wing of the party are not prepared to vote for any Brexit deal that does not meet their demands. Talking about the White Paper, he said that 40-plus Conservative Members “do not like this deal and are willing to vote in line with that dislike”.—[Official Report, 18 July 2018; Vol. 645, c. 489.] Against that threat, and without just saying that it is a great White Paper, what evidence can the Secretary of State point to that suggests the White Paper could command a majority in this House?

Dominic Raab: The right hon. and learned Gentleman seems more interested in doing the job of whipping Conservative Members than in coming up with any serious, substantive proposals. We have a White Paper, and I am going to Brussels. We ought to unite the United Kingdom behind getting the best deal for this country and for our European friends.

Keir Starmer: Let me follow on. Given the threat that has been issued by the hon. Member for Wycombe, the burning question for the Secretary of State, which will be asked again and again in this House, across the country and, I have no doubt, by Michel Barnier later today, is whether he personally is prepared to face down that threat. What is the answer?

Dominic Raab: I am not interested in the media circus or in any of the drama. We have proper scrutiny in this House, and we have relentlessly and unflinchingly focused—I am sure our European partners will be doing the same—on narrowing the differences, accentuating the positives and getting a win-win deal that is good for this country and good for our European friends. The right hon. and learned Gentleman should get behind that effort.

T6. **Chris Green** (Bolton West) (Con): My electors expect the decision of a general election to be delivered, just as they expect the decision of a referendum to be delivered. Does my right hon. Friend agree that to have a second referendum would undermine the democratic process and that anyone calling in this place for a second referendum should perhaps step down, have a by-election and ask for a second opinion on themselves?
Dominic Raab: My hon. Friend makes his point in his usual powerful and eloquent way. Of course, when the referendum legislation was passed it was agreed by all parties that we would respect the verdict of the referendum. That was how we entered into the legislation, that was how the legislation was passed by the House and that was how we campaigned. It would be a shifting of the democratic goalposts and a breach of democratic trust to suggest otherwise.

T2. [906561] Alex Cunningham (Stockton North) (Lab): My Stockton North constituency is home to some of the country’s most energy-intensive industries, and the future nature of the greenhouse gas scheme is a key business issue for them. The Chequers agreement suggests that we might remain in the EU emissions trading scheme. When will we know?

Dominic Raab: Having sat on various Select Committees with the hon. Gentleman, I know that he takes these issues very seriously. We detailed it in the White Paper, and he has the reassurance of the detail in that extensive document. I will be going out to talk to Michel Barnier and our European Friends about all these issues to make sure we can take it further forward.

T7. [906566] David Duguid (Banff and Buchan) (Con): The repeated commitment from this Government that we are indeed leaving the common fisheries policy is welcomed by the fishing communities of Banff and Buchan and around the United Kingdom. Concerns remain, however, that the position of the European Fisheries Alliance, among others in Europe, is to maintain as much of the status quo as possible. Will the Minister commit to meeting me and representatives of the Scottish fishing industry to discuss how leaving the CFP can lead to this vital industry not just surviving but thriving and growing post Brexit?

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): I assure my hon. Friend that I share his and the Environment Secretary’s view. First, once we leave the EU, we will be able to control access to our waters by non-UK registered vessels, which will be a matter for negotiation. Access to markets for fish products will be agreed as part of our future economic partnership, just as with other goods and food products.

T3. [906562] Helen Hayes (Dulwich and West Norwood) (Lab): I understand that the Secretary of State, as a member of the campaign committee of Vote Leave—the campaign committee met weekly, according to Vote Leave’s website, to agree the leave campaign’s strategy—may not want to comment on this week’s findings of the Electoral Commission until he has spoken to the police, who are investigating those findings, so I ask him this hypothetical question instead. In a situation in which an organisation has been found to have lied about its spending and to have broken UK law in order to secure a narrow referendum victory, what does he believe the consequences should be?

Dominic Raab: Obviously we need to see any of those allegations, any of those cases, followed up by the relevant authorities. I was on the campaign board of Vote Leave. I had nothing to do with the financial implications, with donations or with anything like that. What I think the hon. Lady is really trying to do is somehow, in a back-handed way, to discredit the outcome of the referendum, which is not going to work. The country voted to leave the EU, and that is what we are going to do.

T9. [906568] Giles Watling (Clacton) (Con): As we strike out into this brave new world of global trade post Brexit, can my right hon. Friend reassure me that, whatever the result of the negotiations, this Government will redouble their effort to retain cordial relationships with Europe on both trade and security?

Dominic Raab: My hon. Friend is absolutely right; that is what the White Paper sets out. This is about maintaining a strong trading relationship with all our European friends; broadening our opportunity to trade more energetically, with a bit more vim and vigour, with the growth markets of the globe, from Asia to Latin America; and, of course, in those vital other areas of co-operation, including security, making sure that we retain those strong ties.

T4. [906563] Karen Lee (Lincoln) (Lab): The European Court of Justice rulings that deemed that on-call working should be calculated as working time have been crucial in ensuring fair pay for residential care workers in the UK. What guarantees will the Government give to ensure that this vital protection will continue after the UK leaves the EU?

The Parliamentary Under-Secretary of State for Exiting the European Union (Chris Heaton-Harris): I thank the hon. Lady for her question. She comes from a wonderful city that I used to live in and which voted heavily for leave. People there will therefore be surprised that she is trying to undermine that referendum result. However, I can tell her that there is no intention on this side to undermine any of those workers’ rights.

T10. [906569] Stephen Metcalfe (South Basildon and East Thurrock) (Con): More than half the scientists currently working in the UK were born outside it. Does my right hon. Friend agree that it is essential that we allow scientists to continue to contribute to this country after we leave the EU?

Dominic Raab: My hon. Friend makes a good point. We are ending free movement. We want, in order to restore confidence in our immigration system, to control the numbers of people coming here. We want to make sure we have stronger checks at the border, for security purposes. But it is absolutely right to say that this country benefits from immigration, including in the way he described. The proposals we put forward on mobility will make sure we continue to do so in the future.

T5. [906564] Danielle Rowley (Midlothian) (Lab): Does the Secretary of State still believe that EU proposals to promote gender parity in boardrooms amount to “tokenism” and that “inexperienced people” will end up on boards? If not, how will he promote gender equality through the Brexit process?

Dominic Raab: I thank the hon. Lady for that question. I am meritocratic to my heart; I do not believe in any discrimination, be it against men or women. Of course we are going to maintain our strong equality standards—
and indeed reinforce them. We do not need Brussels for that; we need active and energetic Members in all parts of this House.

Vicky Ford (Chelmsford) (Con): Many Conservative party members in Chelmsford voted leave, but when I met them last week the vast majority supported the Chequers deal and the White Paper. May I urge the new Secretary of State to continue to fight for a deal that delivers for our security and protects jobs?

Dominic Raab: My hon. Friend is absolutely right. She has a wealth of experience and expertise in all these different areas, and I have listened carefully to the strong contributions she has made in this House every step of the way. She will have seen the White Paper. I believe that, not just in the letter, but in the spirit, it will deliver the kind of Brexit she wants to see: one that is good for this country and good for our European friends, and one that will allow Britain to go from strength to strength.

T8. [906567] Kerry McCarthy (Bristol East) (Lab): Last week, I visited a family-run company in my constituency that sells extreme sports goods to more than 80 countries. People there told me that reverting to World Trade Organisation rules would cost the company more than £1.6 million in tariffs alone. They also told me they had had overtures made to them by the International Trade Secretary and by the Secretary of State’s predecessor, on condition that when they met they did not talk about Brexit. When is the Secretary of State going to start listening to such family-run companies and hear about the impact that a no deal would have?

Dominic Raab: I thank the hon. Lady for that. She has always been powerful in her contributions, both on the European Union (Withdrawal) Bill and right throughout on Brexit. As she will know from the White Paper, we have a detailed set of proposals that are not only principled, but flexible, to make sure that we not only sustain the strong trade we want with our EU friends but take advantage of the global opportunities to trade more energetically. This will be good for exporters and for cutting the costs of living in this country by reducing prices.

Julia Lopez (Hornchurch and Upminster) (Con): Following this week’s votes, which make aspects of the White Paper less tenable and certainly less likely to be accepted by the EU, has the Secretary of State had any discussions with No. 10 and within his own Department about modifying the UK’s negotiating position?

Dominic Raab: Our negotiating position is set out clearly in the White Paper. Obviously, we listen to my hon. Friend, who is a strong campaigner on this issue, with a powerful voice. We are listening to all sides, but what we need to make sure we do now is come together to deliver these proposals, get the best deal for the UK and forge the agreement with the EU. These proposals are a principled and pragmatic way of delivering that.

Clive Efford (Eltham) (Lab): The National Audit Office says that unless we at least agree a mutually recognised driving licence, up to 7 million licences may have to be issued in the first year after Brexit alone, and that detailed delivery plans are yet to be completed.

Is that not an example of our unreadiness for falling out of the European Union? What is being done to make sure that drivers can drive on the continent if we come out without a deal?

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): The White Paper makes it clear that on those measures we want to reach arrangements that are in the mutual interests of the UK and the EU. Of course, as my right hon. Friend the Secretary of State has said, there will be more announcements on contingency planning in due course.

Richard Graham (Gloucester) (Con): On citizens’ rights, UK citizens in some EU countries may have to renounce their British citizenship to stay living in those countries. It is unclear whether any of the 1.2 million in the EU will be able to move from living in one country to living in another without making further applications. At the same time, the EU is very reluctant to secure reciprocal voting rights. It is good that our approach is generous, but is my right hon. Friend the Secretary of State concerned about the lack of reciprocity in some areas of citizens’ rights? Will he raise the issue with Michel Barnier later today?

Suella Braverman: My hon. Friend is right to highlight this issue. The Home Secretary has issued a statement that sets out his disappointment that the EU has not necessarily put into plan the reciprocal arrangements that it agreed to for EU citizens. For our part, we have made it clear that we have agreed the sections of the withdrawal agreement that provide for an exhaustive and comprehensive series of protections for EU citizens. That is on a reciprocal basis and we expect the EU to respond in kind.

Daniel Zeichner (Cambridge) (Lab): This week, the Office for Budget Responsibility followed the Institute for Fiscal Studies in pointing out that there is no such thing as a Brexit dividend. Given that the OBR was set up to provide expert advice to the Government, may we have an assurance that there will be no more talk from Ministers of this fantasy Brexit dividend?

Dominic Raab: It is clear that when we leave the EU and take back control of our borders, law and money, we will not be paying the gross contributions to the EU. We will continue some domestic payments in the way that we have described, but we will of course be able to take back control of our net contribution and will pay a lot less to the EU as a result.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I warmly welcome my hon. Friend the Member for Daventry (Chris Heaton-Harris) to his new role. Will he confirm that he will continue and build on the good work of my hon. Friend the Member for Wycombe (Mr Baker), and that he is by no means starting from scratch?

Chris Heaton-Harris: I can confirm that I will build on the amazing quantity of diligent work that my hon. Friend the Member for Wycombe (Mr Baker) has put in place. I only wish he was still on the Front Bench to finish it off.
Nick Smith (Blaenau Gwent) (Lab): Farmers say that crops are rotting in the ground because of a lack of European labour. When will we see a seasonal agricultural workers scheme?

Dominic Raab: The hon. Gentleman is right to raise the issue of mobility. We detailed some of the proposals in the White Paper and we will of course take forward the negotiations. As he will know, I am seeing Michel Barnier later today. It is crucial that we make sure that we have a balanced approach to immigration in which we control the numbers coming here and make sure that we fill the skills shortages in the way that the hon. Gentleman has described, while also making sure that we restore public trust by having proper control over our borders and immigration policy.

Several hon. Members rose—

Mr Speaker: Colleagues are a rum lot, I must say! I was just about to call the hon. Member for Walsall North (Eddie Hughes) but he has beetled out of the Chamber, poor chap. Admittedly, he was not to know that I was going to call him, but had he stayed, I would have done, and I usually do. It is very odd. As for the hon. Member for Clacton (Giles Watling), we always savour his contributions but he has already spoken at topical questions so cannot do so again.

Mr Steve Baker (Wycombe) (Con): Given that HMRC makes available online the documentation for its computable general equilibrium model, will the Department follow suit so that the public can be objectively informed about the shortcomings of such models and so that the model can be fully scrutinised by interested external economists?

Dominic Raab: I thank my hon. Friend for the first in what I am sure will be a series of valuable and important forensic contributions. I shall take a good, long, hard look at the matter.

Alison Thewlis (Glasgow Central) (SNP): Andrew Muirhead Leather in my constituency has been in business since 1840 and relies on the EU for importing rawhide, exporting leather and chemical processing. Will the Secretary of State meet the people from Andrew Muirhead Leather to hear their concerns? They are extremely worried about what a no-deal Brexit would mean for their business.

Dominic Raab: We do understand some of the concerns relating to supply chains. If the hon. Lady looks at the White Paper, and in particular at the facilitated customs arrangement, she will see our approach and the detailed way in which we are going to resolve those concerns, not only to maintain that strong EU trade that I understand her constituents need, but to make sure that we grasp the opportunities of Brexit, particularly in respect of global trade.

Jeremy Lefroy (Stafford) (Con): I welcome the association agreement with the EU that the White Paper seeks. Will my right hon. Friend therefore also seek a category of associate citizenship for UK citizens with the EU? I think that will be welcomed both by the European Parliament and by many, many millions of people in the United Kingdom who are losing their European citizenship and would like something to replace it.

Mr Robin Walker: My hon. Friend raises an interesting point, and I know that it is something that is very dear to the heart of the President of the European Parliament and something that he has discussed. The EU Commission is, of course, running these negotiations with a mandate from the Council and, at this stage, there is no mandate for it to discuss the issue of associate citizenship.
10.40 am

Ian Paisley (North Antrim) (DUP): I thank you, Mr Speaker, for allowing me to make this personal statement at this time. It is with profound personal regret and deep personal embarrassment that I have to make this statement.

In 2013, in the course of my first Parliament, I failed properly to register and declare two overseas visits. I had no ulterior motive for that genuine mistake. I do recognise how serious a mistake it was. As a Member of Parliament, I know that I have personal responsibility to seek to be above reproach. I acknowledge that registration of such matters and subsequent declarations must be adhered to diligently. I accept my total failure in that matter. I have given an unreserved apology to the House and to colleagues. I take the opportunity to do so again from my place here, and I do it without qualification. I say sorry and apologise for the failings that were identified in the Standards Committee report.

I am disappointed that I was not able to persuade members of the Committee of the weight of my arguments on some of the major matters of mitigation, especially on the issue of paid advocacy. However, I accept the report, but I do so regret its sanctions. I have apologised to the House and to colleagues and I understand that, subject to the decision of this House, I may, from September, be subject to a suspension lasting 30 days.

I take my duties as a Member of Parliament seriously. I believe that I conduct myself with colleagues with integrity and openness, which is why I have such remorse about the matter, as I believe it goes against the grain of who I am, especially how it is portrayed.

It is to my constituents, who have sent me here since 2010, that I make the profoundest of all apologies. They have honoured me with unwavering support to be their voice and I hope that they will continue to have that confidence in me in the future.

We all in this Chamber know that, in public life, if we make mistakes, they are amplified, and rightly so. That is the nature of the job that all of us do and all of us understand that. However, I believe in a politics and in politicians who can admit to human frailty, who can apologise, mean it, and move on, because that is what real life is all about. It is often said that it is how we respond to these challenges in our lives that defines who and what we are, and defines our character and demonstrates to us where the true source of our personal strength rests. The 8th-century prophet Isaiah said, “You were angry with me, that anger has turned away, you comfort me.” I hope to learn that lesson.

Mr Speaker: I thank the hon. Gentleman for what he has said and the sincerity with which I feel sure the whole House will accept that he has said it. The matter rests there. Thank you.
Significant questions remain unanswered. How many people does the DWP estimate will be entitled to additional arrears payments? How soon does the DWP expect to be able to identify people affected by this announcement? Will the DWP pay compensation to those who got into debt as a result of the underpayments? When will these payments be completed? What measures has the DWP undertaken to ensure that similar mistakes do not happen again?

The review into the ESA underpayments is just one of six the DWP will be carrying out to identify ill and disabled people to whom it has wrongly denied social security support. Five of those reviews have been undertaken only to pre-empt legal judgments. The latest announcement is yet further evidence of a Department in chaos, and the chaos is chronic, with millions of disabled people affected by the DWP’s failures. That needs to be sorted and sorted now.

Sarah Newton: I will take each of the hon. Lady’s detailed points in turn, but I first want to disabuse the House and the hon. Lady of the characterisation of people working in the DWP that we hear week after week. It simply is not fair. Day in and day out, the staff of the DWP work very hard to support people with health conditions and disabilities. The amount of money that this Government—in coalition and now as a Conservative Government—spend supporting people with health conditions and disabilities has grown every single year since we took office in 2010. We are absolutely committed to ensuring that people get the support from us that they need.

I want to put this issue in context. I fully accept, and have accepted, that these mistakes should not have happened. We are acting at pace to resolve these issues as soon as possible. Yes, some individual cases were raised in 2013, but at that time the Department felt that they were individual cases. It was not that the Department was lacklustre in trying to deal with the issue, as the hon. Lady is trying to portray. In fact, it was the proactive work of the DWP—in ensuring that we look out for fraud and underpayment—that identified this problem, and Ministers in the Department have worked proactively to put the necessary resources in place to resolve the issue as soon as possible. One mistake is one too many, but in actual fact this issue has affected about 5% of the people who made the transfer from incapacity benefit to ESA, and 3% of everyone on ESA. We are sorting the situation out as soon as possible.

The hon. Lady specifically asked how many people are being spread ever more thinly? In the light of the errors on ESA, PIP and universal credit, will the Department carry out a cross-departmental, cross-party review of its social security system to create one that is built on fairness, dignity and respect, as is happening in Scotland, rather than one that is subject to frequent legal challenge?

Sarah Newton: May I remind the hon. Gentleman that this action was due to the work of the Department itself? Because it is so important to us to make sure that people are not underpaid, it was our own work that led us to find this error and, as soon as we did, to put in place the actions to ensure that it was corrected.

The hon. Gentleman’s point about the date on which we pay back the benefit, as I said in my statement, all the legal advice that we were given was around section 27. However, having listened to concerns raised by a range of stakeholders, we went back to look at that analysis. We really wanted to make sure that we were doing the right thing by our claimants, and that is when we came forward with the decision that we made yesterday.

In terms of the Department’s routine work, of course we welcome the fact that we have two very well-supported Select Committees. Only yesterday, I spoke to the Chairmen of the Public Accounts Committee and the Work and Pensions Committee. I always read with great interest and care any reports that they do. As I said to both Chairmen yesterday, we will seriously consider all their recommendations and report back to them, as they requested, in October.
Maggie Throup (Erewash) (Con): May I wish my hon. Friend a very happy birthday? I commend her for finding this issue, moving it on, and getting a solution to it. Does she recognise the important role that so many employers are playing in signing up to the Disability Confident scheme and recognising that people with disabilities are an important part of our workforce for the future?

Sarah Newton: I thank my hon. Friend for making such an important point. We must always recognise the really positive contribution that people with health conditions and disabilities make across the whole of society, including at work. I commend her for accepting the community challenge. I commend all Members across the House who will go out into their communities this summer and encourage more employers to provide work experience, internships and employment for the huge talent pool of disabled people that we have in our country.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): Can my hon. Friend confirm that once a claimant has been identified and contacted about their underpayment, they will have access to a free phone line so that they can pursue their claim, and will be paid within 12 weeks?

Sarah Newton: Yes, I can make that commitment. We have already started to contact people and we are already making payments. Once we have contacted someone, we will make the freephone telephone number available to them, and we will pay them as soon as possible, but certainly within 12 weeks.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I welcome the fact that the Minister took action to make sure that the wrong was righted for those people who would otherwise not have had this payment from 2011 to 2014. I congratulate her on that. However, the real concern is that there were warnings from 2013 onwards, both from her staff in the Department and from agencies dealing with these people. She says that the Department found this out, but it took a long time to act. Many people have still lost out on passported benefits, some easy to calculate, like free school meals. Will she, in the light of the recommendations in our report, look closely at the impact of the passported benefits that were lost and consider a compensation scheme?

Sarah Newton: I thank the Chairman of the Public Accounts Committee. Of course, the whole Department will take her report very seriously. The Secretary of State herself wanted to be here today, but she is making a very important speech elsewhere. That is the only reason she is not here herself to really underline the importance of what we are doing in the Department.

The hon. Lady raises a very good point about what more we can do to support frontline staff in the DWP who spot something wrong or feel uncomfortable with something that is happening—perhaps an unintended consequence—and to escalate their concerns so that they are heard by managers and those right at the top of the organisation. As a result of the work that the Secretary of State has been doing since she has been at the Department, with our new permanent secretary, new structures have been put in place to ensure that that escalation of concerns is appropriately considered across operations, policy and legal, and that appropriate action is taken. I believe that that action will prevent this from happening again.

Kevin Foster (Torbay) (Con): I welcome the Minister’s answers and the fact that £40 million has been paid out so far. She rightly highlighted the fact that claimants will get a free phone number to contact. Obviously, people listening may have concerns about what their own position might be. Will she update me as to whether she will be working with local advice agencies, such as Citizens Advice, and ensuring that they have information so, if people contact them, they too will be able to give out advice?

Sarah Newton: My hon. Friend makes such an important point. I work very closely with a range of stakeholders, including the absolutely outstanding citizens advice bureaux. We will ensure, as we do in all the work we do, that they are fully updated so that they can give their customers good advice. I say to everyone in the House and to everyone listening that if people are struggling to make ends meet or are uncertain about what benefits they might be entitled to, they should go to Jobcentre Plus. There they will be greeted by compassionate, well-informed members of staff who will want to help them.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): As a former shadow Minister with responsibility for disability rights—a very long time ago—I have a keen interest in this, and, as chairman of the Westminster Commission on Autism, a contemporary one. In my time, I have seen a lot of mistakes in this kind of area. The secret is to come to the House, to apologise fulsomely and to put it right. The numbers she mentioned mean a lot of people in every constituency. Will she ensure that she does something fast to compensate them, and to help Members of Parliament, who with Windrush and this issue have an even greater workload in helping their constituents?

Sarah Newton: I thank the hon. Gentleman for his question and for his vital contribution. His work on autism, along with colleagues across the House, is really important. I always welcome opportunities to meet the cross-party group and I seriously consider all its reports. As soon as we identified the problem and how to sort it out, we were very open, coming to the House and updating it regularly, so that we can sort the problem out as soon as possible and provide Members with the information they need. I am first and foremost a constituency MP and I hold my weekly advice surgeries, so I know MPs’ vital role in supporting people through the benefits journey in our country.

Tom Pursglove (Corby) (Con): My hon. Friend is a former shadow Minister with responsibility for disability—a very long time ago. In my time, I have seen a lot of mistakes in this kind of area. The secret is to come to the House, to apologise fulsomely and to put it right. The numbers she mentioned mean a lot of people in every constituency. Will she ensure that she does something fast to compensate them, and to help Members of Parliament, who with Windrush and this issue have an even greater workload in helping their constituents?

Sarah Newton: I thank the hon. Gentleman for making such an important point. We must always recognise the really positive contribution that people with health conditions and disabilities make across the whole of society, including at work. I commend her for accepting the community challenge. I commend all Members across the House who will go out into their communities this summer and encourage more employers to provide work experience, internships and employment for the huge talent pool of disabled people that we have in our country.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): Can my hon. Friend confirm that once a claimant has been identified and contacted about their underpayment, they will have access to a free phone line so that they can pursue their claim, and will be paid within 12 weeks?

Sarah Newton: Yes, I can make that commitment. We have already started to contact people and we are already making payments. Once we have contacted someone, we will make the freephone telephone number available to them, and we will pay them as soon as possible, but certainly within 12 weeks.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I welcome the fact that the Minister took action to make sure that the wrong was righted for those people who would otherwise not have had this payment from 2011 to 2014. I congratulate her on that. However, the real concern is that there were warnings from 2013 onwards, both from her staff in the Department and from agencies dealing with these people. She says that the Department found this out, but it took a long time to act. Many people have still lost out on passported benefits, some easy to calculate, like free school meals. Will she, in the light of the recommendations in our report, look closely at the impact of the passported benefits that were lost and consider a compensation scheme?

Sarah Newton: I thank the Chairman of the Public Accounts Committee. Of course, the whole Department will take her report very seriously. The Secretary of State herself wanted to be here today, but she is making a very important speech elsewhere. That is the only reason she is not here herself to really underline the importance of what we are doing in the Department.

The hon. Lady raises a very good point about what more we can do to support frontline staff in the DWP who spot something wrong or feel uncomfortable with something that is happening—perhaps an unintended consequence—and to escalate their concerns so that they are heard by managers and those right at the top of the organisation. As a result of the work that the Secretary of State has been doing since she has been at the Department, with our new permanent secretary, new structures have been put in place to ensure that that escalation of concerns is appropriately considered across operations, policy and legal, and that appropriate action is taken. I believe that that action will prevent this from happening again.

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Tom Pursglove (Corby) (Con): My hon. Friend is a diligent Minister and I welcome the steps that she has taken to ensure that this is put right, but will she confirm for the House that internal learning has taken place and that future processes will be improved as a result?

Sarah Newton: Yes, I can give that assurance. The permanent secretary has been scrutinised and questioned by the Public Accounts Committee. He has made all sorts of commitments to improve the internal processes of the DWP, and, as I outlined in a previous answer, those processes are up and running. This summer I will
visit the operating centre that is undertaking this administrative exercise, and I will be reinforcing to the staff on the frontline not only the importance of their work but how important it is to speak up and speak out if they experience any problems. I will be listening.

Stephen Lloyd (Eastbourne) (LD): I thank the shadow disability Minister for bringing the urgent question to the House. The Minister will know that the fact that at least £390 million is owed to tens of thousands of sick and disabled people—the most vulnerable people—is a shocking revelation. I have two questions. First, will the Minister give an estimate of how long it will take for the people affected to receive the money that they are owed? Secondly, with respect, apparently the DWP learned about this 12 months ago but it is only the media that have brought it out into the open. How does the Minister respond to that?

Sarah Newton: It was not the media that brought this out into the open; there was a written ministerial statement to this House. We have been acting at speed to make sure that we identify people we have underpaid, and we have already started to make payments. In the original statement, we said that we hoped to complete the exercise within the year, which takes us up to next spring. We are absolutely working as fast as we can to make these payments.

Diana Johnson (Kingston upon Hull North) (Lab): The Minister has again been brought to the Chamber by an urgent question, not to make a statement herself. I want to mention that the 100th anniversary is coming up of when George Lansbury and the Poplar councillors went to prison because they refused to cut benefits for the poor and the disabled. Does the Minister feel ashamed that she has had to come here today to explain the culture of indifference in her Department, and what is she personally going to do about it so that the poor and the disadvantaged in our communities do not suffer any more under this Government?

Sarah Newton: I gently remind the hon. Lady that we have a well-resourced team that is taking up that issue. Of course we take underpayments very seriously, and just in this particular case, but to learn across all our inquiries? Will she ensure that the MPs’ helpline does that? Secondly, with respect, apparently the DWP learned about this 12 months ago but it is only the media that have brought it out into the open. How does the Minister respond to that?

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Sarah Newton: I gently remind the hon. Lady that we have made a written statement yesterday—the third statement we have made—and that we have been open with the House and will continue to be open with the House because this is a matter of such importance to us. I also respectfully point out that she should look at the facts. Each year, we are spending more money supporting disabled people and people with health conditions, and the benefits that support them increase each year. They are not subject to cuts; the rates are increasing each year.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The all-party group on disability has heard that 28% of those in poverty are disabled, while a further 20% of people in poverty live in a household with a disabled person. Shamefully, nearly half of the poverty in the UK is therefore associated with disability. Does the Minister agree that significant errors of this gravity perpetuate this poverty, and that there must be compensation for the most vulnerable who have been affected?

Sarah Newton: Let me absolutely clear: I do not want anyone in our country to be living in poverty. Nobody on the Conservative Benches wants to see anyone living in poverty, which is why we have put so much effort since 2010 into lifting people out of poverty, including people with disabilities. We have been increasing benefits each and every year, and we will continue to do so. We are also increasing the amount of support for disabled people and those with health conditions who tell us they would very much like to work.

Jim Shannon (Strangford) (DUP): I, too, thank the shadow Minister for bringing this urgent question to the House, and the Minister for a very comprehensive response and for righting the wrong. Well done, Minister. With some 70,000-plus people who have transferred to ESA from another benefit not being paid the full amount of ESA, does the Minister have any idea at this stage of the number of those in Northern Ireland who have been underpaid, and who is looking after the Northern Ireland applicants who are seeking reimbursements?

Sarah Newton: Every person who deserves their payment will be treated fairly and equally—I absolutely assure the hon. Gentleman of that—but I will write to him with specific details about people in Northern Ireland.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): The DWP—not the staff—is quick to point out because this is a matter of such importance to us. I also respectfully point out that she should look at the facts. Each year, we are spending more money supporting disabled people and people with health conditions, and the benefits that support them increase each year. They are not subject to cuts; the rates are increasing each year.

Sarah Newton: I have repeatedly said that we are very sorry that this happened in the first place, and that we are doing everything possible to rectify the system—not just in this particular case, but to learn across all our benefits. Of course we take underpayments very seriously, and we have a well-resourced team that is taking up that issue.

Alison Thewliss (Glasgow Central) (SNP): The arrears being paid to people may be quite considerable in some cases. Will the Minister confirm to the House that these will be disregarded for their current benefit entitlement, because people should not lose out now for mistakes that the Department made previously?

Sarah Newton: The hon. Gentleman makes an important point. I am more than happy to put it beyond any doubt for people who are receiving payments for these underpayments that those payments will be disregarded for the purposes of other benefits.

Alan Brown (Kilmarnock and Loudoun) (SNP): Rather than waiting for this failing Department to contact my constituents about any underpayments, how can MPs make proactive inquiries on their behalf? Is the Minister aware that despite the MPs’ helpline for universal credit, some DWP offices are hiding behind general data protection regulation and saying that they cannot deal with verbal inquiries? Will she ensure that the MPs’ helpline does what it says on the tin?

Sarah Newton: The hon. Gentleman makes an important point, and as a constituency MP I understand the important role that we all have to play. I will ensure that he is able to raise constituency cases effectively and swiftly, and if he experiences any specific problems, he should please contact me so that I can rectify them.
I pay tribute to my hon. Friend the Member for York Central (Rachael Maskell) who has used her great expertise as a trade unionist to enhance the quality of the discussion and report. I also add my thanks to all the staff, some of whom had to carry out their own jobs alongside working on this report. I thank all the experts and Members who have been involved and served on both review bodies.

I particularly want to thank the Leader of the House, and acknowledge her determination and commitment to seeing this through. It has not gone unnoticed that there will now be a workable solution. The culture in this place will change.

I am so pleased that the Prime Minister listens to business questions. Today, she is visiting the border. But it is quite confusing, isn’t it? There was an agreement. Then there was a White Paper, over which two Cabinet Ministers resigned because they did not like it. The Prime Minister has now agreed to the amendments, so it is not clear where that leaves the White Paper. If it is the same White Paper, why did the two Cabinet Ministers resign? Should we not have a second White Paper, the miserable Brexit plan mark II? What about the other White Paper on the withdrawal agreement, which was due to be published on 18 July? The Vote Office confirmed that the Government have cancelled it. Will it be published?

Will the Leader of the House look again the bizarre situation of the Government not voting against Opposition motions? We have got to the stage where we have an oral statement in certain situations, but yesterday two very important statements, on social care and school funding, were put out in written form. It is not right that we cannot hold the Government to account on those two most important matters. Will the right hon. Lady please review the situation? If the Government do not like the motions, they should vote against them.

The School Teachers’ Review Body report is usually published before the end of recess. Will the Leader of the House say when it will be published? Schools are already setting their budgets. They want to know whether they will be responsible for lifting the pay cap. They are already struggling with the funding formula, so I hope they will not be responsible for lifting it and that the money will come from central Government. May we therefore have a statement on the matter from the Secretary of State for Education?

Mr Speaker, I want to add my thanks to you and your office for their unfailing courtesy; the Deputy Speakers; the Clerk of the House for his judgments; the House staff; the Serjeant at Arms and his office; Phil and the Doorkeepers; Hansard; the House of Commons Library on its 200th anniversary for its fantastic independent advice, which has integrity running all through it; the police and the security; the cooks and the cleaners; and everyone who keeps this place in working order. I also
want to thank my right hon. Friend the Member for Newcastle upon Tyne East (Mr Brown) and everyone in the Opposition Whips Office for all their hard work behind the scenes and of course everyone in my office.

Yesterday was Nelson Mandela Day. The Nelson Mandela Foundation is dedicating this year to fighting poverty, honouring Nelson Mandela’s leadership on and devotion to fighting poverty and promoting social justice for all. He said:

“It is easy to break down and destroy. The heroes are those who make peace and build.”

I wish everyone a peaceful recess.

Andrea Leadsom: I thank the hon. Lady for her very warm words about Nelson Mandela. She is exactly right to pay tribute to him. He did so much in the whole area of truth and reconciliation, and on the importance of peace instead of continuing to wage war against each other. He was so right and he will always be remembered for that.

The hon. Lady mentions Monday’s debate on strengthening the Union. There was some discussion yesterday about having the proxy voting debate on Monday. I genuinely feel that it is important we have that debate, so that issues can be raised; potential unintended consequences, and the very key points about when a proxy vote should be used and who it should be used by. I am very keen that all Members get the chance to do that and I am aware that many Members would not be here to take part in the debate if it were on Monday. I hope she accepts that. I will be bringing it forward as soon as possible.

I will look into ministerial responsibilities. I think the hon. Lady means for July 2018, not June 2018.

The hon. Lady also had a question about the Shadow Sponsor Body. We discussed this at House Commission. We are delighted that we do now have the Shadow Sponsor Body in place for the restoration and renewal of the Palace. It is of course right that there are four Lords Members of the Shadow Sponsor Body to only three Commons Members. As she will be aware, it was agreed that the Commons Commission would write to the Lords Commission suggesting that when the body is set up in statute that will be reversed. She asks when the legislation will come forward. I can tell her that it has been agreed that we will bring forward a draft Bill, through joint scrutiny by both Houses, in the autumn. It is in draft form already. I have been working on it very carefully with the parliamentary counsel over the past few weeks.

I join the hon. Lady in paying tribute to the hon. Members for Brent Central (Dawnt Butler) and for York Central (Rachael Maskell) and all those, including the shadow Leader of the House, who have worked so hard on this new complaints procedure. Today, Parliament can be proud; we are tackling our challenges and shortcomings and we want to be leading the world in treating everyone with dignity and respect. Following the debate later today, we will be turning to a new chapter, and I look forward to that.

The hon. Lady asks about voting on Opposition day motions. As I have made clear, we will continue to support the Standing Orders for Opposition days, and when the Speaker does not change his mind and refuse to do that, the Government will come forward with very specific actions to be taken as a result of a motion passed by this House.

Mr Peter Bone (Wellingborough) (Con): I, too, thank everyone who makes this Parliament work, and that relates to the question I would like to put to the Leader of the House. This House relies much on tradition and trust, and a number of things have happened recently that have disturbed me. I was quite ill when we were voting on the EU withdrawal Bill, and there were a lot of votes. I came in to vote and after a number of votes, the Labour Whips agreed to nod me through. That courtesy should be extended to everyone, and I do not think that happened recently. I am very concerned to hear that a pairing was broken, and I am very concerned that we tried to end Parliament two days early, which I think was for party political reasons. May we have a statement from the Leader of the House when we come back, or early next week, on this place and the fact that we must uphold the rights of this House and not hide behind small print because, otherwise, this place will not work?

Andrea Leadsom: My hon. Friend is of course right to raise any concerns that he has, and I will always be happy to discuss them with him. As I said yesterday in the urgent question, a pair was broken. People were extremely apologetic. It was an error. In addition, I set out again that I absolutely uphold the rights and conventions of this House at all times, and will always continue to do so.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for next week. Usually, when I get on my feet on a Thursday morning, I gently chide the Leader of the House about the performance of her Government this week. There might be the occasional rhetorical flourish, an over-emphasis here and there perhaps, or even a bit of exaggeration to help to fully describe the current predicament. This week, that is not necessary, because there simply is not a sufficient range of adjectives to adequately describe this dysfunctional Government, the current state of their Brexit disaster and their chaotic stewardship of prosecuting this mad enterprise. The chance of a no deal Brexit has apparently been raised from “possible” to “likely”. Let us remember what that means: endless queues at our ports, shops running out of food and hospitals without medicines. May we have an urgent and timely debate when we get back about what all this mad no deal Brexit actually means?

We are coming back next week, and I think we are all delighted about that. I do not know what the Leader of the House was thinking about by trying to adjourn this place five days early and how she thought for a minute that she would get away with it, given that, effectively, we have a leaderless country and an unprecedented crisis. Apparently, we cannot plan our recess to accommodate school holidays throughout the United Kingdom, but we can go into an early recess to help a beleaguered Prime Minister. We will be back to debate strengthening the Union—I presume that it is our Union, and not the associated union of beekeepers. Let us hope that the Leader of the House might clarify that.
After all these pious apologies yesterday about the breaking of pairing arrangements with the hon. Member for East Dunbartonshire (Jo Swinson), there are stories in the press today that the Chief Whip told three Tory MPs to break their whipping arrangements. Will there now be a full inquiry into exactly what happened? I am just so pleased that the Scottish National party have absolutely nothing to do with this broken whipping arrangement.

There are all sorts of rumours today about the date of the Budget. Will the Leader of the House give us some clarification? Will it be September; will it be November; or will it be at the end of the year?

Finally, Mr Speaker, I wish you and all the staff of the House—all those who work in the place and make it easier for us all to do our jobs as Members of Parliament—a good holiday. I say to you all, “Enjoy it, because this will be the last year in which you will be in the European Union. Next year you will be classed as a ‘European other’, with all the travel misery that that is likely to bring as you go off to the costas and playas.”

Andrea Leadsom: Well, Mr Speaker, I rather like bees myself. However, the hon. Gentleman is right to raise the very important debate on Monday, which will indeed be about strengthening the Union of the four nations of the United Kingdom. I look forward very much to seeing all his colleagues in the Chamber as we discuss the means by which we can keep the United Kingdom together—stronger and better together.

The hon. Gentleman asks about the motion calling for an early recess. I can tell him that the idea was suggested by representatives of a number of political parties. It was discussed in the usual channels, and the Government decided to put it to the House so that the House could decide. On Tuesday, it became clear that there was no desire to do that, which was fine, and which is why the motion was not moved. This was about trying to listen to the views of the House.

I am very much looking forward to next week. We have some important business to get through—questions to the Secretary of State for Housing, Communities and Local Government and the Secretary of State for Health and Social Care, and some interesting debates in Westminster Hall on, for instance, the remit of the Office for Budget Responsibility and nuclear investment—and, of course, we all look forward sincerely to hearing from my hon. Friend the Member for Southend West (Sir David Amess), who for once is not present for the pre-recess Adjournment debate.

Ian Mearns: Just in case Back Benchers are wondering why the Backbench Business Committee has not given them time for a debate on 6 September, as the Leader of the House suggested, it is because on 6 September the business will be agreed by the Backbench Business Committee but determined by the Liaison Committee, so the debate is not in our gift.

I note that in the future business section of the Order Paper—I have written to the Leader of the House about this—the business in Westminster Hall on Tuesday 4 September, the day on which we return from the recess, is still shown as scheduled to begin at 9.30 am. That seems incongruous, and I hope it can be fixed. Members have to make travel arrangements before then.

Andrea Leadsom: I am looking to my officials, but I believe we have changed that. I believe the motion went through yesterday, but I shall have to check. I was pleased to try and help out, and if those times have not yet been changed, they certainly will be.

I can only agree with the hon. Gentleman: we all love bees. They play a very important part, and I think that the hon. Member for Perth and North Perthshire (Pete Wishart) should repent of his slightly anti-bee approach.

The Lord Commissioner of Her Majesty’s Treasury (David Rutley): He must beehive himself.

Andrea Leadsom: He certainly must beehive himself, at all times.

Let me say again to the hon. Member for Gateshead (Ian Mearns) that I look forward to visiting the great exhibition of the north. I think that he will have received my letter informing him that I shall be in his constituency next week and that I look forward to it very much.

Mr Speaker: The Leader of the House will be pleased to know that she is right: the list of future business publicly declared has not yet caught up with reality, as both the advice of the Clerks and the enthusiastic nodding of the officials’ heads alike testify.

Lee Rowley (North East Derbyshire) (Con): A few weeks ago, the Government announced that they were likely over the summer to consult on changes to the planning process for shale gas and fracking. There is a shale gas application in my constituency, and this is of concern to a number of residents in my part of the world. Will the Minister consider giving Government time for a debate on shale gas and, in particular, proposed changes to permitted development rights?

Andrea Leadsom: My hon. Friend is right to raise this issue, and I am well aware that very often constituents have concerns. As an ex-Energy Minister, I can tell him that I am very supportive both of the concept of shale
gas exploration and shale gas as a future source of revenue and energy security for this country and, importantly, of a very robust regulatory environment for shale gas. As he will know, the Government support shale gas exploration, and we are launching two consultations: one on the principle of including shale gas projects in the nationally significant infrastructure projects regime and the other on permitted development rights. We look forward to many stakeholders contributing to those consultations to ensure that planning decisions are fast but fair to all.

Wes Streeting (Ilford North) (Lab): Listening to the Leader of the House this morning and looking back at the record for yesterday, twice now she has told this place that what happened with the breach of pairing arrangements was a result of administrative error. If the report in The Times newspaper is to be believed, it was a result not of accident, but of design. So when she returns to the Dispatch Box, I hope that she will choose her words carefully, because she may have been set up to mislead the House, however inadvertently, which would be serious. [Interruption.] Before Government Members heckle, I will say that some silence and humility might be required, because the idea that pregnant women and new mothers will be cheated out of their vote and representation to save the skin of this shambolic Government is an absolute disgrace and an affront to the House.

To add insult to injury, we now have to wait until September for a debate—a debate—on what should be a sensible arrangement for proxy voting, so will the Leader of the House at least come to the Dispatch Box to confirm that when we debate proxy voting in September, it will be on a motion, because actions will speak louder than words and the Government have shown through their behaviour this week that acting according to courtesies and conventions is not enough because this Government, with their shambolic record, cannot be trusted?

Simon Hoare (North Dorset) (Con): On a point of order, Mr Speaker.

Mr Speaker: There is no point of order now.

Andrea Leadsom: The words of the hon. Member for Ilford North (Wes Streeting) stand for themselves; it is absolutely abhorrent for him to be calling me out in particular when I came to the Dispatch Box yesterday with exactly the regret and sorrow he is now falsely calling for. It is a deep regret to me that that breaking of the pair happened in error. I assured the House yesterday that it was an error that the Chief Whip and the Minister without Portfolio, my right hon. Friend the Member for Great Yarmouth (Brandon Lewis), had both apologised for.

I can tell the hon. Gentleman that there were three pairs on Tuesday. I myself was one of them; I did not receive any call from anyone telling me to vote. I hope the hon. Gentleman will accept that, because he is calling me something that is not acceptable parliamentary language. I have made absolutely clear my personal commitment to resolving this issue so that new parents can spend time with their new babies uninterrupted. What happened was an error that has been copiously and profusely apologised for, and the hon. Gentleman should be ashamed of himself.

Several hon. Members rose—

Mr Speaker: Order. There are strong feelings on this matter, and I have heard very clearly what the Leader of the House has said by way of her account. I know that she will not, however, cavil, or argue with me, when I say that I am the arbiter of what is parliamentary language, and no unparliamentary language has been used; I am clear about that and the Clerk is very clear about that. The hon. Member for Ilford North (Wes Streeting) has obviously irritated the right hon. Lady, but he used the word “inaudently”. There is no breach of order; nothing disorderly whatsoever has happened. We do need to be clear about that.

Jeremy Lefroy (Stafford) (Con): My right hon. Friend will know from her own constituency experience the problems that people affected by HS2 have in selling their property and not getting a quick resolution. There is no good resolution to this, and that applies even more to my constituents who are affected by the roadworks on the M6 and cannot get anyone to buy their property, the value of which has fallen precipitately as a result of the disturbance. When people are forced into a situation of being unable to sell their properties because Government action—whether in relation to road, rail, airports or anything else—causes the value of the property to plummet, can we ensure that there is justice for them and that they can sell their property at market value or get the appropriate compensation?

Andrea Leadsom: My hon. Friend raises an important point about compensation for those affected by Government projects. I encourage him to talk to the HS2 mitigation and compensation forum that I established—back in 2011, I believe—which takes forward particular issues for constituents who are seeking proper compensation for such problems, particularly with regard to selling their homes.

Chris Elmore (Ogmore) (Lab): Under new data protection rules, subject access requests to GP practices and NHS services can no longer be charged for. I have received a deputation from GP surgeries in my constituency saying that this is already causing undue cost to them. May we have a statement, either from the Department of Health and Social Care or from the Department for Digital, Culture, Media and Sport, to explain how they might be able to help with this probably inadvertent issue, because it is costing NHS services money that they can hardly afford?

Andrea Leadsom: The hon. Gentleman raises a really important issue. I do not have the answer right here, but I encourage him to attend Health and Social Care questions on Tuesday, because I am sure that this will be something that Ministers will be keen to try to address.

Maggie Throup (Erewash) (Con): Official figures show that house building is booming in Erewash, with the number of completed homes up by 75% and the number of homes under construction up by 70% on the previous year. Does my right hon. Friend agree that this is a vindication of the Government’s housing policy and that it is good news not only for those in the construction industry in Erewash but for those who aspire to own their own homes? Will she grant Government time to debate the benefits to the economy and to the wellbeing of our constituents of building more homes?
Andrea Leadsom: I certainly congratulate my hon. Friend on the success in building new homes in Erewash. The Government are absolutely clear that fixing the broken housing market is a top priority and Housing needs to be more affordable, and we want people to have the security of a home of their own, which means building many more of the right homes in the right places. We have set out an ambition to deliver 300,000 homes a year on average by the middle of the next decade, and we have an ambitious package of reform to support that.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Mr Speaker, you very kindly granted me an urgent question yesterday in relation to the breach of the pair involving my hon. Friend the Member for East Dunbartonshire (Jo Swinson) on Tuesday night. You might recall that I indicated during that urgent question that I had received an apology from the Government Chief Whip, which of course I accepted, but that I did not quite understand how things had come to pass in this way. I indicated also that I would pursue the matter with the Government Chief Whip. I have to tell you and the House that, subsequent to the urgent question, I met the Government Chief Whip and that he offered me a fuller explanation, which I have considered very carefully overnight. Regrettably, I have to say that I still do not understand how this highly regrettable state of affairs came to pass, so today I have a somewhat novel request for the Leader of the House, which is that the Government Chief Whip should come to the Dispatch Box to make a statement himself.

I have been here long enough to know the conventions, Mr Speaker, and I know that the convention is that the Government Chief Whip does not speak in the House, but conventions are exactly that. Ours is a system of checks and balances, and if we take out a check we have to adjust a balance. What happened on Tuesday night did serious damage to the pairing system on which we have all relied over the years, and for that reason I suggest that it is necessary to re-establish the basis of trust and the confidence that agreements will be honoured that we should have this most novel departure. This is not a suggestion that I make lightly, but I hope that the Leader of the House will take it seriously and that this is something that we will see happen.

Andrea Leadsom: I am grateful to the right hon. Gentleman for his measured words, and I am glad that he met the Chief Whip. As I made clear yesterday, I have been absolutely assured that it was an administrative error. I sought to explain to the House that pairing often involves an absence of an hour or two, so I have a somewhat novel request for the Leader of the House, which is that the Government Chief Whip should come to the Dispatch Box.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I have also been in the House for quite a long time, and I must tell the Leader of the House, for whom I have great respect, that Tuesday’s events were cataclysmic for this House’s reputation. We are supposed to be the mother of Parliaments, but my constituents think that there was skulduggery on Tuesday night. They do not get messages or texts from the Leader of the House; they read in the newspapers that something dodgy went on and they say, ‘Why can’t it get put right? Why couldn’t you have another vote?’ This goes to the heart of the reputation of this House. It was one of the most important votes in the history of this House, yet something strange went on that was the responsibility not of the Leader of the House, but of the Whips. I say in all earnestness that things must be put right, and I associate myself with the comments of the right hon. Member for Orkney and Shetland (Mr Carmichael) who thinks that the Chief Whip should come to the Dispatch Box.

Chris Green (Bolton West) (Con): Blackrod Primary School in my constituency has recently been awarded the prestigious Artsmark platinum award. This Government have the right idea in supporting science, technology, engineering and mathematics in our schools, but can we have a debate on upgrading STEM to STEAM to fully appreciate arts, culture and creativity?
Andrea Leadsom: I join my hon. Friend in congratulating Blackrod Primary School in his constituency on earning that fantastic award. The Government want all children to have a broad and balanced curriculum, and the creative arts play an important role. We are investing nearly £500 million of funding from 2016 to 2020 for a diverse portfolio of music and arts education programmes that are designed to improve arts provision for all children.

Rachael Maskell (York Central) (Lab/Co-op): NHS Property Services has been required to dispose of the Bootham Park Hospital site. The city urgently needs capacity for new health services, yet developers want to move on to the site to build luxury apartments—we have far too many of those. Can we have a debate about public interest in the disposal of public sites?

Andrea Leadsom: The hon. Lady raises an important issue. Having been to her constituency, I know it is very beautiful and I totally understand that there is a lack of space for things like a new hospital. I encourage her to raise the matter with Ministers at Health questions next Tuesday by asking what they can do to try to help to protect that space.

Stephen Lloyd (Eastbourne) (LD): Four weeks ago, Bishop James Jones published a report on the Gosport War Memorial Hospital showing that at least 560 elderly patients had inadvertently died as a result of opiate transfusions. I put it in layman’s terms by saying that at least 560 people were killed.

I immediately wrote to the Prime Minister asking that the relatives get the justice they deserve and that the Government implement a criminal inquiry. The term for the Prime Minister to respond to an MP is 20 days, and I still have not heard. Tomorrow is the 20th day. If I do not hear back from the Prime Minister about getting a public inquiry, will the Leader of the House allow a debate in the Chamber on this incredibly important issue?

Andrea Leadsom: I completely share the hon. Gentleman’s grave concern about those reported deaths due to opiates. He raises an important issue, and I recommend that he seeks a BackBench Business debate so that all Members will be able to share their concerns and the experiences in their constituencies.

Kate Green (Stretford and Urmston) (Lab): Homebuyers in Woodsend in my constituency have suffered shoddy building work and very poor customer service from Persimmon, which informed them that it is not its policy “to deal with MPs” when I tried to intervene to help my constituents. May we have a debate on the recommendation of the all-party parliamentary group on excellence in the built environment for a mandatory ombudsman scheme for house builders?

Hon. Members: Hear, hear.

Andrea Leadsom: The hon. Lady will have heard that roar of approval for her suggestion. All hon. Members are concerned about house building standards, and it is vital that house builders take seriously the need to provide quality products to those who, let us face it, often struggle to afford them. I recommend that she seeks a BackBench Business debate, because I think there would be cross-party support for raising these important matters.

Hywel Williams (Arfon) (PC): Wales was due to get £2 billion of EU structural funds between 2014 and 2020, and those funds are to be replaced by the hitherto mythical shared prosperity fund. Forward-looking organisations are now thinking about their planning cycle post 2020, but they are hampered by the lack of any detail. Can we have an early debate on the shared prosperity fund, hopefully preceded by some detail as to its operation?

Andrea Leadsom: I am glad that the hon. Gentleman has raised the question of the shared prosperity fund, and I sincerely recommend that he raises it in Monday’s debate on strengthening the United Kingdom. He will, of course, be aware that there has been significant investment in the city deals and growth deals in Wales. Nevertheless, he raises an important point that I encourage him to raise with Ministers on Monday.

Dr Roberta Blackman-Woods (City of Durham) (Lab): We are approaching the school holidays, when many children will lose the important contribution that a free school meal makes to their overall sense of wellbeing. Will the right hon. Lady agree to raise the issue. She might seek an Adjournment debate, if Mr Speaker were happy to grant one, so that she could raise the issue directly with Ministers.

Patrick Grady (Glasgow North) (SNP): I am grateful to the Leader of the House for confirming which Union will be discussed in the debate on Monday—it is just as well it is not a debate on the Conservative and Unionist party being strengthened! I notice that almost all the business for the first week back is likely to be subject to the EVEL—English votes for English laws—procedure, so it is ironic that it comes on the back of a debate on strengthening the Union. Is it not time that we at least had a little balance in how the business is presented? Indeed, is it not time we simply got rid of the EVEL procedure altogether?

Andrea Leadsom: I am a fan of the EVEL procedure. The issue of devolved Administrations and the very many powers that have rightly been devolved to the individual nations of the UK means there is the important need for issues affecting only England or only England and Wales to be voted on by those relevant Members and not by all Members of this House. That is an equal and fair approach to what has been a very beneficial devolution settlement right across the UK.

Jessica Morden (Newport East) (Lab): May I ask the Leader of the House whether the Government still intend to publish a draft law of property Bill, which was announced in 2016? It is of particular relevance to the residents of Llandevaud, who next week will see their communal common come to auction because someone has bought up an old manorial title.
Andrea Leadsom: The hon. Lady raises an interesting and particular question, and I genuinely do not know the answer to it. [Laughter.] There are lots of things I do know the answer to, but that is not one of them. If she would like to write to me, I can take it up with the relevant Department or of course Ministers will provide her directly with the answer.

Justin Madders (Ellesmere Port and Neston) (Lab): My constituent Lisa Conway recently experienced a burglary at her home. The police ascertained that access was gained to the property by using force to prise open a window. However, her insurance company, Policy Expert, refused to help because it said “forcible and violent” entry was not used to access her property. So may we have a debate on how we can stop companies such as Policy Expert exploiting our constituents through ridiculous legalese in these insurance policies?

Andrea Leadsom: First, let me say that I am really sorry to hear about that break-in. Having a home broken into is traumatising for families, and being treated in that way is just appalling. I certainly encourage the hon. Gentleman to seek an Adjournment debate, so that he can raise the particular concerns about that insurance company directly with Ministers.

Jim Shannon (Strangford) (DUP): The Assam state government in India has asked everyone to prove that they were in the country before 1971. Many of those who came to India without any paperwork are unable to do so. If residents cannot prove this before 30 July they will be declared illegal immigrants. Millions of residents do not have this proof because they had never needed it before. The very serious concern is that, as was the case with the Rohingya Muslims in Myanmar, this could lead to millions of impoverished Muslims being stripped of their citizenship and deported—or even worse. Will the Leader of the House agree to a statement or a debate on this pressing issue?

Andrea Leadsom: This is a very serious issue and, as the hon. Gentleman suggests, it could have urgent and serious ramifications. I encourage him to take it up with Ministers directly in the short period before recess, so that he can find out exactly what they are able to do to help.

Paula Sherriff (Dewsbury) (Lab): The Safe Anchor Trust is a charity in my constituency that does wonderful work with people who are disadvantaged through social isolation, age, deprivation and physical or mental disabilities. I have seen at first hand the incredible work the trust does, and I am sure that the Leader of the House would be very welcome were she to take one of its wonderful boat trips. The trust is entirely reliant on volunteers and donations to survive. May we have a debate on how we can support such groups, which are such an asset in our communities?

Andrea Leadsom: I join the hon. Lady in congratulating that charity on the amazing work that it does. There are so many voluntary organisations and community-based societies that do so much for us all. I encourage her to seek a BackBench Business debate so that she and other Members can share the excellent examples in their own constituencies.
puppy sales in pet shops and to outlaw vile puppy farming. Since then, almost 100 Members from all parties have backed my early-day motion 695.

[That this House calls for the immediate ban on the sale of puppies by pet shops and other third-party commercial dealers; recognises that implementing Lucy’s Law will be a major step forward in putting an end to unnecessary animal cruelty; and helping to eradicate forms of irresponsible dog breeding and selling, such as puppy farming, smuggling and trafficking; notes that irresponsible breeding practices, such as puppy farms, are enabled and even encouraged by the third-party trade in puppies that are sold away from their mothers and place of birth in locations such as pet shops; and acknowledges that Lucy’s Law will help to protect breeding dogs and puppies by making all breeders accountable and transparent, ensuring consistency with the Government’s advice that purchasers should see puppies interacting with their mother in the place that they were born.]

There was consensus in the Chamber after our debate on the related e-petition, so may we have a statement on the introduction of legislation? It is much needed to protect puppies from odious puppy farmers who seek to undermine their and their mothers’ welfare.

**Andrea Leadsom**: I completely agree with the hon. Lady that this is an incredibly important issue. When I was Secretary of State for Environment, Food and Rural Affairs, the Department was looking carefully at the matter, and we brought in new laws on licensing. There is also a knock-on impact for those who purchase the puppies and take them into their lives when they have been deeply damaged and traumatised early in their life. The hon. Lady is right to raise the issue and I encourage her to seek an Adjournment debate so that she can talk to DEFRA Ministers directly about what more can be done.

**Carolyn Harris** (Swansea East) (Lab): For her summer reading, I offer the Leader of the House a copy of the newly published report of the all-party group on home electrical safety titled “Electrical products: setting the new standard”. We are all acutely aware of the importance of protecting our constituents from fires caused by domestic appliances. When the House returns, may we have a debate on a Government strategy to reduce fires caused by domestic appliances?

**Andrea Leadsom**: That sounds like a very sparkling report. [Interruption.] Sorry. Certainly, the hon. Lady is raising a very important issue. Household fires are devastating, as we saw in the tragic Grenfell disaster, and she is right to raise this very important issue. I sincerely hope that, come the autumn, she can at least seek a Back-Bench debate so that hon. Members can share their experiences.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): A veterinary practice in my constituency has plugged the skills gap by employing an Australian vet on a youth mobility visa, but the problem is that the visa runs out in September. It is well known that there is a shortage of vets in the UK, but the cap on tier 2 visas is causing vets problems in getting visas so that they can continue working. May we have a statement about the merits of exempting vets from the cap altogether, and, more importantly, about how I can expedite a decision so that Jock Patterson can continue working in my constituency rather than being sent home to Australia?

**Andrea Leadsom**: The hon. Gentleman raises an important constituency issue, as he often does, and he is right to do so. I suggest that he takes up that specific issue directly with Home Office Ministers or, if he wants to write to me, I can do so on his behalf.

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): The Leader of the House will know that the housing crisis blights communities across our United Kingdom. Will she find time for a debate on the pay, terms and conditions of the senior management of housing associations? Money should be put into building decent and affordable homes for all our constituents, not filling bosses’ pay packets. I want to know what the Government can do about this.

**Madam Deputy Speaker (Dame Eleanor Laing)**: I call Alison Thewliss. [Interruption.] I beg your pardon; I call the Leader of the House.

**Andrea Leadsom**: The hon. Member for Glasgow Central (Alison Thewliss) is very welcome to provide an answer if she should care to do so.

The hon. Gentleman raises a very important issue. He will be aware that housing is the top domestic priority for this Government. We are determined to deliver 300,000 new homes on average every year by the mid-2020s. It is vital that we provide more social and affordable housing. More than £9 billion is going into our affordable homes programme. He raises a very specific issue, which I encourage him to raise at Ministry of Housing, Communities and Local Government questions on Monday.

**Alison Thewliss** (Glasgow Central) (SNP): May we have a debate on the failure of the Indian high commission’s consular services in responding to MPs and their constituents? I currently have two relatively simple cases that have been waiting for months, including a constituent who needs to travel to Kolkata for her PhD studies and has been issued with a visa for entirely the wrong dates. The consular services are just not responding; they have asked me to WhatsApp them rather than going through proper channels, and getting a response has been just about impossible.

**Andrea Leadsom**: I am very sorry to hear that. That is a challenge because I think what the hon. Lady is seeking is better administrative procedures in other consulates and, obviously, that is not something that the UK Government can influence. However, if she would like to raise that in a written question to Ministers, I am sure that they will take up on her behalf the challenge of trying to influence other consulates in London to the benefit of her constituents.

**Diana Johnson** (Kingston upon Hull North) (Lab): I have been battling for a number of years with Persimmon, the house building company, which has built some homes in my constituency whose gardens have been slipping into the drain. I have been battling for years, and it was only when I said to Persimmon that I was going to raise the matter on the Floor of the House that I was able to get a meeting with Simon Usher, one of its managers in Yorkshire. Since then, the matter seems to have gone cold again. I absolutely support the call of
my hon. Friend the Member for Stretford and Urmston (Kate Green) for a debate, because I do not think that this is a lone case, and it certainly seems that having an ombudsman would be really effective and something that we would all use.

Andrea Leadsom: I can say to both hon. Ladies that when there is clearly cross-House support for a debate, I do try to seek Government time when I can. Obviously time is at a premium, but there is considerable concern about this issue across the House, and the hon. Member for Kingston upon Hull North (Diana Johnson) is absolutely right to raise it in this place. I encourage her to take it up with the Ministry of Housing, Communities and Local Government on Monday at oral questions.

Diana Johnson: On a point of order, Madam Deputy Speaker. I am grateful that you are allowing me to raise this point of order at this time, with the Leader of the House still on the Treasury Bench. It has come to light that PICT, which provides parliamentary ICT support to Members, has seemingly decided, without any prior consultation, to close down Members’ second email accounts, claiming it is due to a limited number of licences being available. You will know, Madam Deputy Speaker, that the second email account is a vital tool for MPs in their office management. I ask the Leader of the House to take steps to stop this from happening until there has been a proper consultation and there is proper understanding of what the decision means, and until alternative arrangements have been put in place to allow Members to manage their emails effectively.

Madam Deputy Speaker (Dame Eleanor Laing): I thank the hon. Lady for her point of order. Although, quite clearly, it is not a point of order for the Chair in connection with proceedings in the Chamber, it is a very important point affecting a great many colleagues in the House. The Leader of the House will have heard the point, and I will make sure that the matter is drawn to the attention of Mr Speaker. Let us hope that by these various means the matter also comes to the attention of those who organise our sometimes reliable and sometimes not reliable IT service.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Further to that point of order, Madam Deputy Speaker. May I request your advice on whether there might be a way, prior to the recess, to bring clarity to this topic so that we know what we might need to plan for over the summer?

Madam Deputy Speaker: I appreciate the hon. Lady’s question. Now that the matter has been raised, many people will want clarity as soon as possible. I will try to ensure that an answer is brought by tomorrow, and I am sure that Mr Speaker will also require that, in so far as he is able to do so.

Sir Desmond Swayne (New Forest West) (Con): Further to that point of order, Madam Deputy Speaker. It would be a matter of great convenience to some of us to have all email accounts closed down.

Madam Deputy Speaker: The right hon. Gentleman may say that; I could not possibly comment.

The Secretary of State for Education (Damian Hinds): With permission, Madam Deputy Speaker, I would like to make a statement on the consultation on the Government’s proposals for relationships education, relationships and sex education, and health education, copies of which will be made available on the gov.uk website.

Children and young people today are growing up in an increasingly complex world and living their lives seamlessly online and off. This presents many positive and exciting opportunities, of course, but also challenges and risks. In this environment, children need to know how to be safe and healthy, and how to manage their lives in a positive way. Ensuring that they have this knowledge also helps to tackle problems such as sexual harassment and sexual violence.

That was why, during the passage of the Children and Social Work Act 2017, the Government acted on the compelling case to make relationships education and RSE compulsory through regulations, and to consider doing the same for elements of personal, social and health and economic education. There was strong cross-party support then, and I am confident that we can continue to work together on these important reforms in that way.

Since the passage of that Act, we have engaged thoroughly with a wide range of organisations. Ian Bauckham CBE has been supporting the Department. With 33 years as a teacher and 13 as a headteacher, Ian has considerable experience in the education system. I thank him for his invaluable support and his advice to me and my predecessor.

Between November 2017 and March 2018, Ian led wide-ranging stakeholder engagement with groups representing teachers, subject specialists, parents, religious bodies, MPs and others. In addition, the Department launched a call for evidence to seek public views from adults and young people. More than 23,000 people responded, and the level of consensus has been encouraging.

I am pleased today to be able to announce the key decisions and to launch a consultation on the detail of the regulations and guidance. For relationships education and RSE, the aim is to put in place the building blocks needed for positive and safe relationships of all kinds, starting with family and friends, and moving out to other kinds of relationships, including those online. It is essential that we ensure that young people can keep themselves safe online—from the basics of who and what to trust, through to how personal information is used and can be used, and how to ensure that online relationships are healthy and safe. A guiding principle is that teaching will start from the basis that children and young people, at age-appropriate points, need to know the laws relating to relationships and sex that govern our society to ensure that they act appropriately and can be safe. This includes lesbian, gay, bisexual and transgender relationships, which are a strong feature of the new subjects at age-appropriate points.

The draft guidance sets out core required content, but leaves flexibility for schools to design a curriculum that builds on it as is right for their pupils, bearing in mind their age and religious backgrounds. It enables
schools with a religious character to deliver and expand on the core content by reflecting the teachings of their faith.

I also propose to introduce compulsory content on health education. This supports the findings from the call for evidence and engagement process, in which giving children and young people the information they need to make good decisions about their own health and wellbeing—particularly their mental wellbeing—was a clear priority for many who responded. This directly supports our Green Paper on children and young people’s mental health, as well as our manifesto commitment to ensure that all young people are taught about mental wellbeing. The focus on physical health also supports our work on childhood obesity.

Financial education is already on the curriculum in maths and citizenship, and careers education is an important part of our careers strategy. For those reasons, I do not consider that further economic education needs be made compulsory. I am committed, however, to improving the provision of financial and careers education, and will continue to work with stakeholders to do so.

Many schools successfully cover this content in a broader PSHE framework. They should continue to do so, adapting their programme to the new requirements, rather than starting from scratch. Schools are also free to develop alternative, innovative ways to ensure that pupils receive such education, and we want good practice to be shared so that all schools can benefit.

We have previously committed to parents having a right to withdraw their children from the sex education part of RSE, but not from relationships education in primary or secondary school. A right for parents to withdraw their child up to 18 years of age is no longer compatible with English case law or the European convention on human rights. It is also clear that allowing parents to withdraw their child up to the age of 16 would not allow the child to opt in to sex education before the legal age of consent. I therefore propose to give parents the right to request their child be withdrawn from sex education delivered as part of RSE. The draft guidance sets out that, unless there are exceptional circumstances, the parents’ request should be granted until three terms before the pupil reaches 16.

Diana Johnson (Kingston upon Hull North) (Lab): That was Labour’s policy in 2010.

Madam Deputy Speaker (Dame Eleanor Laing): Order. Do not interrupt a ministerial statement. [Interruption.] Order. Just do not interrupt it.

Damian Hinds: At that point, if the child wishes to have sex education, the headteacher should ensure they receive it in one of those three terms. This preserves the parental right in most cases, but balances that with the child’s right to opt in to sex education when they are competent to do so.

We are keen to hear as many views as possible through the consultation, and I encourage Members and their constituents to respond. The consultation will be open until early November and the final regulations will be laid in both Houses, allowing for a full and considered debate.

This very important change to the curriculum has to be delivered well, and although many schools will be able to adapt their existing teaching quickly, it is essential that schools that need more time to plan and to prepare their staff get that time. It is our intention that as many schools as possible will start teaching the subjects from September 2019. We will be working with schools, as we do with multi-academy trusts, dioceses and education unions, to help them to do so. All schools will be required to teach the new subjects from September 2020, which is in line with the Department’s approach that any significant changes to the curriculum have a year’s lead-in time. That will enable us to learn lessons from early-adopter schools and to share good practice further across the sector. We will be seeking views through the consultation to test the right focus for a school support package as we know that it is crucial for schools and teachers to be confident and well prepared.

Our proposals are an historic step in education that will help to equip children and young people with the knowledge and support that they need to form healthy relationships, lead healthy lives, and be safe and happy in modern Britain. I commend the statement to the House.

12.15 pm

Angela Rayner (Ashton-under-Lyne) (Lab): I thank the Secretary of State for advance notice and sight of his statement. He is right that Members on both sides of the House have worked on these reforms, including my hon. Friends the Members for South Shields (Mrs Lewell-Buck), for Rotherham (Sarah Champion), for Brent Central (Dawn Butler), for Walthamstow (Stella Creasy) and for Birmingham, Yardley (Jess Phillips), as well as the right hon. Member for Basingstoke (Mrs Miller) and the Secretary of State’s predecessor, the right hon. Member for Putney (Justine Greening), who first committed to implementing these changes.

There is much that we all welcome, but I hope that the Secretary of State will address some unanswered questions. Will he tell us which elements of this so-called mandatory subject are actually mandatory? If this knowledge is the right of every child, how will he ensure that it is available to all, and how will his Department deal with schools’ decisions to change or remove parts of the curriculum?

I welcome the statement that children have a right to decide that they want to receive sex and relationships education. All children should be empowered to make healthy, informed decisions, and to know that it is not wrong to be LGBT and not acceptable to experience gender harassment or violence. But can the Secretary of State assure the House that pupils will be able to opt in confidentially if that is their choice? There was only a passing reference to violence against women and girls in the statement, despite evidence of the scale of that problem in our schools and in society. As the curriculum will at all times be age-appropriate, will the Secretary of State tell us why and how the opt-out applies to that part of the curriculum, and will he ensure that children will have the right to opt in to these lessons? Children must know their rights if they are to exercise them throughout their lives.

The Secretary of State will know that nearly half of LGBT pupils are bullied at school, yet fewer than half of them tell anyone about it, and this leads to pupils skipping school. The statistics on suicide attempts are truly shocking. I hope that the Secretary of State is mindful of the trans community, who experience terrible bigotry, yet two in five LGBT pupils are never taught
longer consistent with legal precedent. There are cases
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ability of children to opt in, there will continue to be, as
children.
which looks at the moral and spiritual development of
There is also, of course, the system of Ofsted inspection,
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have been involved in the development of these matters
and content of her response. I join her in thanking and
forward to telling her that we all played a part in
more likely. I hope that these reforms will be in place
safe. If the House gets this issue right, we can make that
grandparents. I am the grandmother to a seven-month-old,
on joining the illustrious few of us Members who are
grandparents. I am the grandmother to a seven-month-old,
and I want to see her growing up happy, healthy and
safe. If the House gets this issue right, we can make that
more likely. I hope that these reforms will be in place
and working well long before she is in school, and I look
forward to telling her that we all played a part in
making that happen.

Damian Hinds: I thank the hon. Lady for the tone
and content of her response. I join her in thanking and commending all those on both sides of the House who have been involved in the development of these matters over quite an extended period, particularly during the passage of the Bill that became the Children and Social Work Act.

The hon. Lady asked what was truly mandatory. The only part of the curriculum that it is possible to withdraw from is the sex part of relationships and sex education. If a primary school offered sex education—that is not mandatory, but if it were—the right to withdraw would also apply there.

The hon. Lady asked—it is a reasonable question—how we make sure this actually happens. Schools have an obligation to have regard to guidance, and they do. There is also, of course, the system of Ofsted inspection, which looks at the moral and spiritual development of children.

On how the right to withdraw will operate and the ability of children to opt in, there will continue to be, as I outlined in my statement, a parental right to withdraw. Its content may change because the age-18 right is no longer consistent with legal precedent. There are cases where the parent wishes to withdraw the child from sex education and the child does not want that, but we are not expecting large numbers of those. Only a very small number of parents now withdraw their children from sex education; of course, there is sex education in most schools. In that case, the child would be able to access a term of sex education before reaching 16.

The hon. Lady is absolutely right about bullying, including bullying of children who are LGBT. A couple of things are very important and essential in that regard. The first thing is to be talking, from an early age, about the reality of bullying, but also, crucially, about some of the aspects of online bullying, which, by definition, is harder for grown-ups to understand than for children whose daily reality it is. It is also about having the core building blocks, from a very early age, of respect for others, kindness, getting on with people, and understanding that there are differences and that this is something to be celebrated.

The hon. Lady asked about mental health. We are putting considerable resource behind the mental health strategy. We have put out the Green Paper and we will respond before too long.

The hon. Lady asked about new duties being put on teachers and what support would be in place. She also asked specifically about the teachers’ pay award. I am not in a position to say something about that today, but it is, as she knows, a process that we are going through. On support for teachers and schools in delivering this new content, we will listen, through the consultation, to what schools tell us. I am open to what sort of support that should be, including how we work with initial teacher training and other training, but also, critically, with regard to the provision of quality materials. A lot of those already exist, but some may not and will need to be developed. We need to make sure that there is a repository where schools can go and reliably find quality materials for teaching these subjects.

The hon. Lady’s particular perspective, not only as a mother but as a grandmother, brings something additional to this matter. I join her in welcoming these moves forward and the benefits that they will have for all our children—and grandchildren.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): I call Diana Johnson.

Diana Johnson: Thank you, Madam Deputy Speaker. I was expecting to be called last because of my outburst.

Madam Deputy Speaker: The hon. Lady is forgiven, and she has an important point to make.

Diana Johnson: Thank you, Madam Deputy Speaker. My outburst was because I was so flabbergasted that the Government have now adopted the position that this House was debating in 2010 when the last Labour Government were in power. I remember very well the Schools Minister, who is sitting on the Front Bench today, arguing absolutely against the proposals that the Secretary of State is now making. However, having just looked up the biblical verse saying that when one sinner repents there is much rejoicing in heaven, I am really pleased that we are now in the position today where the Government are finally doing the right thing. But why does it have to take another two years to get to the point
where our children and young people can have access to
the quality relationships and sex education that we want
them to have?

**Damian Hinds**: I welcome what I think were the hon.
Lady’s words of welcome for what the Government are
bringing forward today. Look, this has been a journey.
Society changes. It is 18 years since this guidance was last
updated. A lot has changed in the world since then, including
the online world, and it is right that we reflect
that.

The hon. Lady asked why it needs to take two years
for children to be able to access good-quality content. It
does not. Many schools do much of this today. Through
this exercise, we will ensure that it is done comprehensively
throughout the system, while also increasing consistency
and making sure that children can access quality materials.
We will make sure that this is all available from September
2019. As for when it becomes compulsory, I have made
a commitment to the profession to give it due time to
prepare for significant changes like this. I think that is
the right approach.

**Mrs Maria Miller** (Basingstoke) (Con): In 2016, the
Women and Equalities Committee called for compulsory
relationships and sex education to help to tackle a
culture of unacceptable sexual harassment in schools. I
am so proud that this Conservative Government have
listened and acted after a cross-party amendment to the
Bill that became the Children and Social Work Act, so
that, after a decade and a half of inaction by Governments
of all colours, these proposals are before us today.

I pay tribute to the huge number of organisations that
have campaigned on this over many years, including
Girlguiding, the Children’s Society and Stonewall—the
list goes on. There are also individuals who are behind
why we are here today, such as my right hon. Friend the
Member for Putney (Justine Greening). The Minister
for Apprenticeships and Skills, my right hon. Friend the
Member for Guildford (Anne Milton), who is in her
place, has done huge amounts behind the scenes to
make sure that this is happening today. I thank my right
hon. Friend the Secretary of State for continuing with
this work, and the Minister for School Standards, my
right hon. Friend the Member for Bognor Regis and
Littlehampton (Nick Gibb), for his tenacity in giving us
improving standards in our schools and being able to
embrace these sorts of ideas, which are challenging for
Members across the House.

These are issues of child safety. How will we ensure
that we do not have to wait another 17 years for this
guidance to be updated? I know that my right hon.
Friend the Secretary of State will be thinking about
that, but perhaps he could talk about it further. We also
have to get the Government’s recommendations put
into action, as the hon. Member for Kingston upon
Hull North (Diana Johnson) said, and avoid any further
bureaucracy. What can parents do now to make sure
that the schools that their children are in put compulsory
relationships and sex education in place by September
2019 and do not create any further delay?

**Damian Hinds**: My right hon. Friend was correct to
identify, as did the hon. Member for Ashton-under-Lyne
(Angela Rayner), a number of individuals and organisations
that have been instrumental in this process. She could of
course have added herself to that list; I commend her
for her work.

My right hon. Friend is right about the importance of
children knowing about issues around harassment and
sexual violence. This whole approach is about building
up from the very basic building blocks of respect for
others. Then, as things develop and children get older,
yes, it is very important to deal with these matters.

Page 22 of the guidance states: “Pupils should know”
about
“the concepts of, and laws relating to, sexual consent, sexual
exploitation, abuse, grooming, coercion, harassment and domestic
abuse and how these can affect current and future relationships.”

The hon. Lady asked about how parents can ensure
that this is happening in schools, but of course in many
schools it is happening. It is important to say that. We
want schools to publish their policies on these matters
and to encourage parental engagement.

Finally, on updates, yes, it must not be another 18 years
before that happens again. We will update the guidance
about every three years, because the pace at which the
world is now changing—the online world in particular—
requires that.

**Dr Lisa Cameron** (East Kilbride, Strathaven and
Lesmahagow) (SNP): I thank the Secretary of State for
making the statement. The issue is clearly a devolved
one, but I have done a lot of work on financial education
and its importance. It is a shame that financial education
is not compulsory, because it is certainly an education
that we all—every single person across the United Kingdom—
need in day-to-day living. Financial education is not just
about maths; it is about mental health, because being in
debt at a young age or not knowing how to manage
personal finances lies behind much of the depression,
self-harm and suicides that we see among young people.
Financial education is also key to relationships, because
financial abuse can be a key component of domestic
abuse. Being able to manage our finances independently
is extremely important in ensuring that people can move
on from those types of damaging relationships. Will the
Secretary of State therefore look at the importance of
financial education within the curriculum and ensure
that everyone has the day-to-day living skills that they
require for healthy and fulfilling relationships and lives?

**Damian Hinds**: The hon. Lady is right about the
importance of financial education, and both the maths
and citizenship curriculums include financial education
content, such as practical aspects of the sort that she
outlined. Another thing in the consultation document,
although it is not in the headlines of the description, is a
question about what more we might do for 16 to 18-year-
olds. Now that the participation age is up to 18, when
record numbers of people go away from home to university
and have to budget and so on for the first time, we are
asking what more could be done for 16 to 18-year-olds.

**Andrew Bowie** (West Aberdeenshire and Kincardine)
(Con): As has been said, education is a devolved area,
but across the UK there is concern that in 2018 one in
three young people made new friends online and that,
sadly, one in four pupils reported being bullied online,
and in the online world there is no respect for devolved
or reserved boundaries or indeed for national borders.
Does my right hon. Friend agree that keeping children safe online must be a priority of effective relationships and sex education?

**Damian Hinds:** I agree with my hon. Friend. The danger is that we grown-ups talk about helping children to make the distinction between the online and offline worlds, and how a social media friend is not the same as a proper friend, but for children growing up today I am not sure that there is a dividing line between the online and offline worlds—they are both an integral part of self. That makes it even more important to talk, right from the start, about the things that he mentions. From the very beginning, therefore, the curriculum includes online issues.

**Kate Green (Stretford and Urmston) (Lab):** I am grateful for the Secretary of State’s statement. As he is aware, children and young people with learning disabilities are particularly vulnerable to bullying and indeed sexual abuse. What steps is he taking to ensure very good-quality relationships and sex education in schools for children with special educational needs, as well as in mainstream schools where children with learning difficulties are educated, to ensure that those children are properly protected as well?

**Damian Hinds:** This applies to all schools. In the consultation, I am very open to hearing from special schools, SENCOs—special educational needs co-ordinators—and others dealing with children who have particular needs and requirements in this area about what, if anything, we need to do, in particular about training or materials in that regard.

**Caroline Lucas (Brighton, Pavilion) (Green):** I, too, congratulate the Government on making progress on this important issue. There is cross-party agreement on its importance, and I hope that I played a small part with a private Member’s Bill that I promoted. In particular, I welcome the Secretary of State’s focus on mental health, but I will express two other quick concerns.

First, will PSHE and RSE be made available as free teacher subject specialism training courses? The training will be key, and we need to see it as part of the free teacher subject specialism.

Secondly, on withdrawing children from sex education, I do not think that the Secretary of State’s compromise works. All children in all schools should receive PSHE and RSE, and children’s rights and safety are at the heart of this. Let us not forget that the guidelines on female genital mutilation for health workers in schools already include withdrawal from sex education as an indicator of risk. I therefore gently ask him to look at the issue again. Children absolutely have to be at the heart of this policy and I am worried that his compromise does not do that.

**Damian Hinds:** I am happy to add the hon. Lady to the list of people who have played a part in this. People of course cannot withdraw from relationships education or from the sex education aspects of the science curriculum, and there are some aspects in the health curriculum, on puberty in particular. On the question of support for schools, the training needs and so on, we will look at all that through the consultation. I want to hear from schools about what they think is most important.

**Thangam Debbonaire (Bristol West) (Lab):** I, too, welcome the statement by the Secretary of State. I am very pleased to have played a very small part in this, and I pay tribute to my hon. Friend the Member for South Shields (Mrs Lewell-Buck) and the former Member for Crewe and Nantwich who did such great work on the Children and Social Work Bill—I was the Whip.

I want to ask the Secretary of State about child sexual exploitation. From what I understand about the parental opt-out, my concern is that it will contribute to some young women in particular having insufficient knowledge and understanding of what sexual consent means. They might not be able to understand what is taught to them about child sexual exploitation or abuse. Will the Secretary of State confirm whether the consultation has scope to include organisations that are specialists in child sexual exploitation?

**Damian Hinds:** I must add the hon. Lady, too, to the growing list, and yes, and we have already been listening to those expert organisations, some of whom create their own materials to help in teaching, running assemblies and so on. To be clear, it is not possible to withdraw from the parts of the curriculum that are connected with knowing where to get help or about the dangers that exist online and off. As I said, in primary school everyone will be going through relationships education, which will include staying safe online and offline. Relationships education includes awareness of where to go for help and of what is acceptable and what is not. These days, consent is a much broader question than it was, because of the online world, sexting and all such developments, and all children will be made aware of those matters.

**Seema Malhotra (Feltham and Heston) (Lab/Co-op):** I, too, welcome the statement, and perhaps I may add to the list of those who have campaigned for relationships and sex education in primary and secondary and for some of the updating that has now happened: in my role as shadow Minister with responsibility for preventing violence against women and girls, I have worked closely with my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper).

May I pick up on the particular point about prevention of violence against women? The Secretary of State alluded to some of the things that are in the guidance on abusive relationships, but there is evidence that a growing number of young people—teenagers and those just a little older—are subject to violent relationships.

To what extent will resources be provided for specialist training and for organisations such as the Hollie Gazzard Trust—founded in memory of Hollie Gazzard who was 20 years old when she was killed by her ex-partner—to ensure that young people, boys and girls, understand the difference between an abusive and a healthy relationship?

**Damian Hinds:** Yes, this is fundamental. Understanding healthy relationships, what constitutes a positive relationship and what is not reasonable to have happen are the fundamental elements running through relationships education guidance. It starts with one’s relationships.
with family and friends, and as children get older it goes on to intimate relationships and so on. Specifically on the guidance, I am open to hearing from all organisations, including the one that the hon. Lady mentioned.

Layla Moran (Oxford West and Abingdon) (LD): I, too, welcome the consultation. It is overdue, but I sincerely hope that the Government will press forward with it. I want to press the Secretary of State one more time on financial education. He may well have seen the harrowing BBC drama this week “Killed By My Debt”, the true story of 19-year-old Jerome Rogers, who took his own life because of financial debt. The Secretary of State says that financial education should not be made compulsory because it is in other aspects of the national curriculum, but he will know that free schools and academies do not have to follow the national curriculum. How can he guarantee that all children, no matter what school they are in, have the skills they need to manage their finances?

Damian Hinds: I did not see the programme the hon. Lady mentioned, but I am very familiar with these issues. Before this job and before I was a Minister in the Government, I used to campaign on issues of financial education, and I very much welcomed the bringing in of more financial education and the shift to make sure that the GCSE included practical maths. As part of the process of looking at the aspects we are talking about today, I have been through that content in detail to check that it does in fact cover those practical aspects in exactly that way. Of course, all schools do maths, so there is not an opt-out in that sense. As I mentioned to the hon. Lady next to her—did I say this to the hon. Member for Brighton, Pavilion (Caroline Lucas)? I do not know; it was a while ago—I am also considering whether there is more we need do about very practical life skills and preparation for adulthood for 16 to 18-year-olds.

Kerry McCarthy: I am easily forgotten.

Kerry McCarthy: Thank you, Madam Deputy Speaker. I very much welcome this statement. It is important that we reflect on the fact that this is not just about providing protection for possible victims of sexual abuse, exploitation, bullying and unhealthy relationships, but about reaching out to potential perpetrators, which is why it is important that as many young people as possible are part of this programme.

I want to ask about physical health education, particularly education about food. May I urge the Secretary of State to look at the work of the children’s future food inquiry? It is being carried out by two all-party groups, and it will report early next year. It is one thing to teach children what healthy food looks like, but if they are living in food poverty and do not have access to healthy food, that will not go very far.

Damian Hinds: The hon. Lady is right to identify the importance of the physical health parts of this programme. That touches on the obesity strategy, and we know that obesity is a serious problem that we have to face. This is really about empowering children to make good decisions about what they eat and about exercise; it is also about smoking and alcohol, and good decisions in such cases obviously involve just not doing them or, in the case of alcohol, not doing it to excess. Doing so from an early age is incredibly important. I will have a look at the report that she mentioned.
Points of Order

12.43 pm

Mrs Madeleine Moon (Bridgend) (Lab) rose—

Wera Hobhouse (Bath) (LD) rose—

Madam Deputy Speaker (Dame Eleanor Laing): The hon. Member for Bath (Wera Hobhouse) is perfectly in order to raise a point of order and I will come to her in just a moment, but I first call Madeleine Moon.

Mrs Moon: On a point of order, Madam Deputy Speaker. This morning, a written statement has been released by the Ministry of Defence on the modernising defence programme. It says very little apart from warm words and platitudes, but the issue of great interest across the defence estate is when we are going to have a contractual agreement on the airborne early warning and control capability—the new airborne warning and control system plane—which is vital to our defence and security. There is great concern that there may be an attempt to release the details of a military-to-military sale, rather than of an open tender, during the recess. May I seek your advice and guidance on the protocol, because if the Ministry of Defence is planning to award such a contract, it should do so while the House is sitting so that it can receive suitable scrutiny from Members of Parliament?

Madam Deputy Speaker: I am grateful to the hon. Lady for her point of order. She is right to use this opportunity in the Chamber to raise the point that concerns her, but I am sure she will appreciate that the time at which any Department releases information or the way in which it comes to a conclusion such as the one she has described is not of course a point of order for the Chair. However, she has taken this opportunity to put her point on the record, and I am sure that those on the Treasury Bench will have noted it. I also have every confidence that if something of significance occurs during the parliamentary recess, the appropriate Minister will come to the Dispatch Box in the Chamber as soon as we come back after the recess. I certainly hope so, but if that does not happen, the hon. Lady will I am sure have a point of order to raise with Mr Speaker.

Wera Hobhouse: On a point of order, Madam Deputy Speaker. During Exiting the European Union questions earlier, the Under-Secretary of State for Exiting the European Union, the hon. Member for Fareham (Suella Braverman), said:

“Manufacturing is at a record high”.

This is factually incorrect. The most recent figures from the Office for National Statistics show that in April manufacturing output fell by 1.4% compared with the previous month, the sharpest fall for five years. Similarly, the UK’s trade balance deteriorated further in April, falling by £2.1 billion. I am still a new Member, and I am perturbed, but is it acceptable for Ministers to make sweeping, unsupported, incorrect factual statements, especially when they encourage us and others to stick to the facts? I would really like your advice.

Madam Deputy Speaker: I am grateful to the hon. Lady for raising her point of order. She notes that she is a new Member. I am not a new Member. I am not a new Member, and over the decades I have heard hundreds of people use statistics in this place—

Wera Hobhouse: A Minister.

Madam Deputy Speaker: I have heard hundreds of Ministers, as well as non-Ministers, use statistics in this place, and every statistic is of course open to interpretation and to being used to put a political point of view, whatever that point of view might be. If it turns out that there has been a factual error, I am sure that the Minister in question will apologise to the House and to the hon. Lady, but if it is a question of the interpretation of statistics—in my experience, it usually is—then that is a matter for debate. The hon. Lady has, however, used the opportunity of raising a point of order to put her interpretation of the facts properly on the record.

ROYAL ASSENT

Madam Deputy Speaker (Dame Eleanor Laing): I now have to notify the House about Royal Assent to certain Bills. In accordance with the Royal Assent Act 1967, Her Majesty has signified her Royal Assent to the following Acts:

Supply and Appropriation (Main Estimates) Act 2018
Automated and Electric Vehicles Act 2018
Haulage Permits and Trailer Registration Act 2018
Northern Ireland Budget Act 2018
Domestic Gas and Electricity (Tariff Cap) Act 2018.
Independent Complaints and Grievance Policy

Madam Deputy Speaker (Dame Eleanor Laing): I am happy to inform the House that Mr Speaker has selected the amendment in the name of Sir Kevin Barron.

12.49 pm

The Leader of the House of Commons (Andrea Leadsom): I beg to move,

That this House approves the Second Report from the Committee on Standards, Independent Complaints and Grievance Policy: Implementation, HC1396, and the Independent Complaints and Grievance Scheme Delivery Report and its proposals for ensuring clear standards for all who work in or visit Parliament, and, in particular:

(1) endorses the Behaviour Code and the policies and procedures relating to bullying and harassment and sexual harassment associated with the Independent Complaints and Grievance Scheme set out in the Delivery Report;

(2) agrees the following amendments to the Code of Conduct:

(i) in Section IV (General Principles of Conduct), after paragraph 8 insert the following new paragraph:

“Parliamentary Behaviour Code

Members are also expected to observe the principles set out in the Parliamentary Behaviour Code of respect, professionalism, understanding others’ perspectives, courtesy, and acceptance of responsibility.”;

(ii) in Section V (Rules of Conduct), add the following new rule as Rule [17]:

“Respect

A Member must treat their staff and all those visiting or working for or with Parliament with dignity, courtesy and respect.”;

(3) agrees the following changes to Standing Orders:

A. Standing Order No. 149 (Committee on Standards)

(i) in paragraph (5), at end add the following new sub-paragraph:

“(f) to consider cases arising from the Independent Complaints and Grievance Scheme”;

(ii) in paragraph (4), at end add the following new sub-paragraph:

“(c) in any case arising from the Independent Complaints and Grievance Scheme where the Commissioner has proposed remedial action within any procedure approved by the Committee with which the Member concerned has complied or, if the remedy is prospective, undertaken to comply”;

B. Standing Order No. 150 (Parliamentary Commissioner for Standards)

(i) in paragraph (2), at end add the following new sub-paragraph:

“(f) consider cases arising from the Independent Complaints and Grievance Scheme”;

(ii) in paragraph (4), at end add the following new sub-paragraph:

“(c) in any case arising from the Independent Complaints and Grievance Scheme where the Commissioner has proposed remedial action within any procedure approved by the Committee with which the Member concerned has complied or, if the remedy is prospective, undertaken to comply”;

(4) recognises the role of the Parliamentary Commissioner for Standards to consider cases arising from the Independent Complaints and Grievance Scheme; notes the arrangements about publishing the details of investigations of such cases to ensure complaints are handled confidentially as set out in the Independent Complaints and Grievance Scheme Delivery Report; and accordingly agrees that, for consistency and fairness, the Parliamentary Commissioner for Standards should no longer routinely publish information about individual investigations before those investigations are concluded and accordingly agrees to amend sub-paragraph (b) of paragraph (12) of Standing Order No. 150 by inserting “statistical” before “information” and leaving out “and matters under investigation”;

(5) recognises that Dame Laura Cox QC is conducting an independent inquiry into the allegations of bullying and harassment of House of Commons staff, whose Terms of Reference were published on 23 April 2018; notes that the inquiry relies upon past and present staff members coming forward with information in person or in writing; notes further that the inquiry, while not investigating any individual complaints or reopening past cases, will consider what options are available for resolving current or historical allegations and providing support to those affected; accordingly agrees that a further independent inquiry in similar terms be established, by the Clerk of the House in consultation with the relevant authorities in the House of Lords as appropriate, to consider allegations of bullying and harassment in respect of those individuals including MPs and their staff, where those allegations are not in scope of the Dame Laura Cox QC inquiry; and directs that the inquiry should report directly to the House in time for its findings to be taken into account in the 6 month review of the scheme established under paragraph (6) of this motion;

(6) endorses the proposal in the report that there should be reviews of the new arrangements at 6 months and 18 months, and invites the Leader of the House to propose the establishment of a review body, including staff representation, to the House of Commons Commission for their consideration and agreement, in consultation with the relevant authorities in the House of Lords as appropriate; those reviews should incorporate

(a) the findings of the independent review set up under paragraph (5) of this motion and

(b) the findings of the Dame Laura Cox QC inquiry which deals with matters relating to staff of the House;

(7) directs the Accounting Officer to meet those costs of the inquiry under paragraph (5) and the reviews under paragraph (6) falling to the House of Commons from the House of Commons (Administration) Vote.

Today gives us a new start. Since last November, Westminster has been rocked by allegations of bullying and harassment, and today we demonstrate our determination to put our house in order and ensure that everyone will be treated with dignity and respect in future. This debate and vote comes as a result of the tireless work and dedication of the programme team, who have driven the implementation of the working group’s proposals. The programme team was overseen by a cross-party steering group made up of staff representatives and Members of both Houses. To everyone who has been involved in this process and supported and provided advice, I am extremely grateful. Most importantly, we probably would not have been having this debate were it not for the bravery and spirit of those women and men who have chosen to speak out about their personal experiences. We thank them for taking that step on behalf of everyone who has been treated wrongly.

Lyn Brown (West Ham) (Lab): As the right hon. Lady would expect, I have talked to my staff about this policy and asked them whether they think it is a step forward. They do, but they also want the House to recognise the Unite branch and give it a role in the reviewing and
implementation of the procedure, to embed union protection in the workplace. Has that idea been discussed or progressed?

**Andrea Leadsom:** That idea has been discussed a number of times through the working group. It was decided not to include that specific recognition, mainly because there are many different organisations in this place, all of which do a good job. Therefore, there is no non-recognition, but neither is there a specific formalised recognition of the Unite branch within the complaints procedure.

The motion asks the House to endorse specific changes that were identified in the working group’s report that was published and agreed by the House in February. Today, the principles of that report will become reality. First, today’s motion asks the House to approve the independent complaints and grievance scheme delivery report, and in doing so it will also ask the House to endorse a new behaviour code that makes it clear to all those who come here—whether an MP, member of staff, peer, contractor or visitor—the standard expected of everyone in Parliament.

Secondly, the motion asks the House to eliminate the threat of exposure that prevents many people from coming forward, by ensuring that all investigations are managed confidentially. Thirdly, it will provide the Parliamentary Commissioner for Standards with a broader set of powers and make changes to the Committee on Standards, including to the voting role of lay members. Fourthly, it proposes that a further independent inquiry be established, with similar terms to the Dame Laura Cox inquiry, to hear historical allegations about Members, peers and their staff. Finally, the motion will make provision for a full review of those arrangements after six and 18 months.

In addition to the measures in today’s motion, the steering group has established two independent helplines—one to deal with bullying, and one to deal with sexual misconduct—as well as independent HR advice for staff, and there is an aspiration to improve the general culture of Parliament, including through a new programme of comprehensive training. Members, staff and the public can rest assured that this new independent complaints and grievance policy puts the complainant at the very heart of the process, while taking care to ensure that the principles of innocent until proven guilty are upheld. The ICGP will be fair and transparent, and I believe it will win the confidence of everyone.

Following an intensive period of implementation, today is the final parliamentary hurdle to getting this much needed new scheme up and running. This is the first step, not the final step, towards the culture change that we all want. That is why we have built in a six and 18-month review of the scheme, to ensure that it achieves exactly what we set out to do. Importantly, the six-month review will take careful account of the findings of the independent inquiry by Dame Laura Cox QC and the further independent inquiry that we are establishing today.

Let me turn to the key elements of today’s motion. First, the new behaviour code will apply to everyone on the parliamentary estate. It has been drawn up following extensive consultation with trade unions, staff associations and the public, who were asked for their views about what behavioural expectations we should have of those working for and within Parliament. It seeks to ensure that everyone in and working for Parliament is respected and valued and that we take a zero-tolerance approach to bullying, harassment and sexual misconduct. Unacceptable behaviour will be dealt with seriously and with effective sanctions.

Today’s motion will also make changes to the Standing Orders for the Parliamentary Commissioner for Standards and to the Committee on Standards. We propose that the commissioners of both Houses keep their investigations entirely confidential until such time as there is a finding. That is crucial if individuals are to place their trust in the new system. There is clearly a balance to be struck between public interest in transparency and putting the complainant at the heart of the process by protecting their identity, and that is vital. In deciding whether to publish any findings, the PCS will also put the complainant’s wishes at the heart of the decision.

I thank, very sincerely, the right hon. Member for Rother Valley (Sir Kevin Barron) for the extremely thoughtful and collaborative way that he and his Committee came to their position. I must point out, however, that we have had to respectfully disagree on one issue, which is about whether confidentiality should also be observed during an investigation in non-ICGP cases. I would be the last person to want to avoid transparency, but for this scheme to succeed, it is vital that we achieve consistency. The amendment by the Committee on Standards would effectively mean that there is one process for ICGP cases and a different one for non-ICGP cases.

**Caroline Lucas** (Brighton, Pavilion) (Green): As the right hon. Lady knows, we have agreed on nearly everything in the report. On this issue, however, I wish to put on record that I did not agree with the position of the group, which was to say that we did not want the amendment tabled by the Committee on Standards. Consistency is not the most important issue, and the optics of this House rolling back transparency are deeply worrying. I would far rather live with a bit of inconsistency, particularly since it essentially means that—quite rightly—MPs are under more of a spotlight. That to me is a much lesser concern than the fact that it looks to the outside world—indeed, to some extent it is true—that we are rolling back transparency at exactly the time we should be expanding it.

**Andrea Leadsom:** I am incredibly grateful to the hon. Lady for her considerable efforts on this scheme but, very respectfully, I disagree with her on that point. She and I have had a number of conversations about the matter, and we have always been clear that the confidentiality at the heart of this policy must be observed so that a complainant will have the confidence to come forward. As I am sure Members will appreciate, a difference in process between ICGP and non-ICGP cases will be lost on those who observe it, which will inevitably lead to confusion. People will not think, “Oh well, this procedure must be for one issue, and that must be for another issue.” They will just see the naming of an individual, and that will have repercussions for those who want to come forward in confidence to a complaints procedure, feeling that their confidentiality will be upheld.

**Kate Green** (Stretford and Urmston) (Lab): I want to endorse what the hon. Member for Brighton, Pavilion (Caroline Lucas) has said. I am a member of the Committee on Standards, and the right hon. Lady will
be aware that I have added my name to the amendment. We already receive complaints about non-ICGP matters, and I do not think I have seen any evidence during my time on the Committee to suggest that complainants are deterred from bringing such matters to attention of the Parliamentary Commissioner for Standards. I am concerned, however, that reports often appear in the media, even before the matter has been formally referred to the Parliamentary Commissioner for Standards. Under the proposal by the Leader of the House, it would be impossible for anything to be on the record that would enable an innocent Member to rebut those allegations in the media. I urge her to consider the amendment, which, as I am sure my right hon. Friend the Member for Rother Valley (Sir Kevin Barron) will soon say, is supported by lay members of the Committee, as well by as non-lay members.

Andrea Leadsom: I entirely respect the hon. Lady’s views, but I think that she might be slightly misunderstanding. We are talking about confidentiality during the process of the investigation only; once an investigation is completed, in the event that there have been reports in the media, in a non-ICGP case—as is the case today—the report would be made publicly available. The steering group advocates that all investigations be carried out confidentially to ensure consistency, now that the Parliamentary Commissioner for Standards is dealing with extremely sensitive issues that will inevitably be far more open to public scrutiny than in the past.

Right from the beginning, we have sought in this scheme to put the complainant at the heart of the process. All the evidence we have taken demonstrates that confidentiality is a key factor that will encourage victims to come forward. I cannot emphasise that enough. The evidence we have taken shows that, if we do not protect the confidentiality of victims, they will not come forward. We are already in a scenario where too many victims never come forward with their complaints, because they are afraid of being re-victimised by being accused of lying, causing trouble and so on. If we are serious about changing the culture in this place, confidentiality and consistency are vital elements. So again, in thanking the right hon. Member for Rother Valley for his careful consideration, I urge Members to vote against his amendment.

The motion will significantly extend the scope of the independent Parliamentary Commissioner for Standards to consider complaints arising from the scheme. The commissioner will be given access to a wider range of sanctions, enabling her to deal more effectively with many cases through apologies, training, behaviour agreements and so on, as well as ensuring independent oversight of investigations.

Finally, the motion sets out changes to the procedures of the Standards Committee, which will receive both appeals and the most serious cases for its consideration. Its voting system will be amended at its request, so that all members, including all lay members, will have a vote. Should the House accept those changes, detailed guidance will be available online immediately, but I want to outline briefly how the new scheme will work.

For anyone with a complaint, the first step is to contact a confidential helpline, where their issue can be considered and triaged. Where individuals decide to pursue a formal complaint, they will be supported to access one of two independent services: one to deal with bullying and harassment and a separate one to deal with sexual misconduct. Should a complaint have criminal implications, the steering group has agreed to establish an information-sharing protocol with the Metropolitan police to make them aware, in the interests of safeguarding and ensuring the scheme could not prejudice a criminal investigation, when such a complaint has been made. The protocol will maintain the confidentiality of complainants, who will decide for themselves whether to take their complaint to the police.

For each complaint, the telephone helpline and investigatory service will seek mediation and informal resolutions wherever possible or appropriate. Where that is not the case, an independent investigation will be opened. Complaints of sexual harassment or assault will have access to an independent sexual misconduct advisory service, which is a specialist service that can provide confidential, independent specialist and trained support in relation to sexual misconduct. In the case of complaints against Members of Parliament, the Parliamentary Commissioner for Standards will oversee the independent investigation. She will apply sanctions as appropriate, or, in more serious cases, refer them to the Standards Committee. The Standards Committee can of course apply sanctions right up to a lengthy suspension, triggering the Recall of MPs Act 2015. Following a decision on any case, there is of course an opportunity for appeal.

When the working group report was published, there were two outstanding issues. I am pleased to be able to provide clarity on them today. First, when the working group started taking evidence last November, we were advised that House staff had access to the respect policy, which was considered to be entirely adequate for their needs. Since then, it has come to light that there have been difficulties with the respect policy, so the steering group has been clear about its desire to give all staff access to the new ICGP scheme. I am very pleased to tell the House that the House of Commons Commission has now agreed that staff of the House of Commons and the Parliamentary Digital Service should be able to access the ICGP from day one.

Secondly, while anyone can call the new helplines with a complaint, investigations under the new scheme can only go back as far as the beginning of this Parliament. The steering group is, however, determined that we should be able to help all those with complaints, no matter how long ago they occurred. Today’s motion will therefore establish an independent six-month long inquiry into historical allegations using similar terms of reference to the Dame Laura Cox inquiry. The findings of both inquiries will be taken into careful account when we undertake the full review of the ICGP after six months of its operation.

I want to conclude by making it clear that this is the beginning not the end of our efforts to change the culture of Parliament. With our new behaviour code, complaint scheme and sanctions, this is an excellent step in the right direction. Our ultimate ambition is for a culture where people can work and visit Parliament and take part in our democracy free from unacceptable behaviour and free from bullying or harassment and where individuals are free to thrive and make a difference. This is a once-in-a-generation opportunity for Parliament. We want to be a role model for legislatures around the
world in our determination to tackle our own challenges head on. Many millions of people across the world look to Westminster as a beacon of democracy and freedom. I hope that today will be seen as Parliament leading by example in our determination to treat everyone with dignity and respect. I commend the motion to the House.

1.6 pm

Dawn Butler (Brent Central) (Lab): I echo the sentiments of the Leader of the House and thank the programme team and the cross-party steering committee. Some of the programme team are in the House today. I thank them for interpreting our ramblings in all the discussions—both agreements and disagreements. I thank all the specialist advisers, who were informative and progressive, and actually mentioned intersectionality before I had the chance to in a meeting. I thank MPs across the parties and the trade unions—it was a joy to work with all of them. Thank you, hon. Friends the Members for Walsall South (Valerie Vaz) and for York Central (Rachael Maskell), and the Leader of the House for her excellent chairing of the committee.

These codes are bringing Parliament into the 21st century. Behaviour or sexual harassment codes will not work on their own, but as a statement of principle, they are an excellent start with regard to our cultural intent, and they set the parameters in terms of behaviour. These codes are needed to encompass our shared mission.

I want to address a few points. Paragraph 18 on page 11 of the delivery report refers to promoting consistency and maintaining quality. Consistency and quality can be achieved only if there are clear and transparent guidelines, not a reliance on discretion. I hope, as discussed by the committee, that at the six-month review stage, we will look into removing discretion from the policy, as that opens the door to unconscious bias. The committee tried to use the most up-to-date language and safeguarding processes. This in itself will be a learning curve to everyone in this place and beyond. At the core of this policy is our mission to change the culture of this House, and, as the Leader of the House said, to make it a safe and progressive place to work.

Parliament is a unique place to work, with 650 micro-businesses in a macro environment of the electorate, our constituents and our constituencies. The constituency office is included in the codes, even though all the issues relating to it have not been resolved.

We have stressed the importance of diversity in the delivery of training and personal development. I think that means that we will be using smaller, specialist and perhaps unconventional providers in Parliament to ensure that we deliver on diversity of delivery. The report makes reference to unconscious bias training, and that is a case in point, because sometimes smaller providers specialise in such areas. It is also vital that decision makers receive additional training, as well as unconscious bias training. I am pleased to say that I look forward to attending the training pilot. As a trained trainer, I will happily dust down my old skills and help the House to design the best training possible. Other Members of the House are encouraged to put their names forward to be part of the reviewing team for training so that we can get the best possible training for the House.

Everyone involved in the delivery of sanctions needs to be fully trained, including the Parliamentary Commissioner for Standards, the members of the Committee on Standards and, of course, the investigators. The Parliamentary Commissioner for Standards’ role has been extended, so training is vital, and the bar for investigating MPs has now been lowered. That was a necessary step in changing the culture of this place, but it will in turn increase the commissioner’s workload. At the six-month review, we will probably have to look at whether more resources are needed for her department. The document refers to the good employer standard, and I hope that at the six-month review we will look at implementing employee appraisals. I am not sure whether we concluded our talk on whether exit questionnaires are now routinely used, but they are a vital tool to help an organisation’s culture change.

I want this House to be a beacon of good practice. The codes will apply to not only MPs, but all who work in and visit this place. The introduction of the scheme is the beginning of a sustained, well-supported and appropriately resourced approach to promoting a positive and supportive environment for those working in and visiting Parliament. That is something we should all embrace.

We must not lose sight of how much good happens in this place—the opportunities that are offered to people, especially young people, and the work of many, including Mr Speaker, to improve the intersectionality, diversity and inclusion of all, including the LGBT+ community in this place. We must continue to have a supportive environment for everybody who works and visits here.

It is imperative that we incentivise and promote good behaviour. Training and personal development should be viewed not as a punishment, but as a way of contributing to an inclusive and progressive Parliament. After all, who would not want to improve what they do and do it better? That is how excellence is achieved.

Trade unions are often the first port of call, and I feel that Parliament needs to have an official recognition agreement with trade unions. Unite, GMB, the National Union of Teachers and the Public and Commercial Services Union are just a few that have a substantial membership in this place. Trade unions play a key role in workers’ lives. They are also a safe place to go to raise concerns, and this process has been substantially strengthened by the input of trade unions. If we are serious about getting this right, trade unions are also central to it.

As long, hard and arduous as the process has been, it has been worth it in the end for the document that we have produced. It all started as part of the #TimesUp and the #MeToo campaigns, and I was part of the very first meeting when the Leader of the Opposition called on the Prime Minister to adopt a cross-party approach to tackle and address the culture of bullying and harassment in Parliament. The Prime Minister agreed with the Leader of the Opposition and today is the result. This process shows what can be achieved when there is a shared goal and a shared commitment. It also shows what can be accomplished when we all work together towards a common endeavour. We can achieve more together than we can achieve alone, and I look forward to the next steps and the successful implementation of the scheme.
Mrs Maria Miller (Basingstoke) (Con): I pay enormous tribute to my right hon. Friend the Leader of the House. I think that nobody would contradict me if I said that without her skill, implementing this new procedure would simply not have happened. It is easy for all of us to call for action and say, “Something should be done,” but it takes a particular skill to actually deliver that, and I pay tribute to her for having dealt with all the factions that have been at play and bringing us to this successful conclusion today.

It is important that we lead by example in this place and that we act, because people have a right to feel safe wherever they work, whether that is in Parliament or anywhere. I pay tribute to the individuals, particularly the women, who have come forward and had the courage to speak out when many hundreds before them have not. My heart goes out to those who may be listening to today’s debate who have experienced sexual harassment or bullying in this place before these procedures have come forward. I hope that they can find some comfort in the fact that we are dealing with this in such a professional way. Parliament is overwhelmingly a good place to work, but there are instances when that is not the case. It is important for us and we have a responsibility to deal with that.

Although this is in a much broader context, Madam Deputy Speaker, I hope you do not mind my touching on the work of the Women and Equalities Committee. As the hon. Member for Birmingham, Yardley (Jess Phillips), my fellow Committee member, will know—she is in the Chamber—we are looking at the issue of sexual harassment at work and the importance of recognising that the issues that we find challenging here in Parliament are part of a much wider context. It is a little disappointing that although back in 2007, organisations such as the Equal Opportunities Commission were looking at sexual harassment in work—it was one of its top-priority agenda items—the Equality and Human Rights Commission did not pick this up when it was established. My right hon. Friend the Leader of the House will know that the International Labour Organisation is bringing forward an international convention against sexual harassment at work. It began work on that in 2015. These are not new issues; they have been around for many, many years. I am glad that Parliament is leading the way and I hope that others will pick up some of the recommendations that we are putting forward today and, indeed, will be working on this themselves.

The Leader of the House is absolutely right to say that this is the beginning of a process. We need to keep some questions in mind as we move forward to reviews of the process in the next few months and years. It is important that we keep a close eye on the independence of the process from political parties and, in particular, the Whips. This process needs to be independent of that intricate network that we have in this place.

I would also like to talk about confidentiality. All the evidence that was given to our Select Committee suggests that confidentiality is absolutely vital. The Leader of the House is entirely right to protect that, because the confidentiality of complainants is what matters. This is nothing to do with a lack of transparency regarding the behaviour of Members of Parliament. If we do not embrace that, this system will fail. It is important that others understand that, including perhaps those who have not looked at this issue in quite the detail that my right hon. Friend has. We are protecting the confidentiality of the complainant.

I would like to ask the Leader of the House a couple of questions. She touched on the issue of complaints about behaviour that predate the 2017 cut-off. This is vital. We ask companies and other organisations to deal with behaviour that is historical, yet it can feel as though this process does not take events that predate 2017 so seriously as those that post-date 2017. I understand the complexities of doing that, but will she reassure me that any complaints that predate 2017 are dealt with in the same way with regard to confidentiality as those that are more recent? That is really important.

Perhaps my right hon. Friend can also think about ways in which we can give more advice to Members about how they deal with issues as they arise. That is another issue with which the Select Committee is having to deal. If an individual Member, or indeed a member of staff, witnesses sexual harassment or bullying behaviour, is that person obliged to report it, and if not, why not? We need to give Members important advice, because we cannot allow bystanders simply to watch things going on without acting. This is a live issue. The Leader of the House may wish to read the Select Committee’s report when it is published next Wednesday—it deals with tackling the issue in the professional world, where people are obviously obliged to behave in the right way.

In March, along with other Members, I attended a session of the United Nations Commission on the Status of Women. There I met a member of the community delegation, who told us that members of the Canadian Cabinet were receiving training on sexual harassment that week. I should like some reassurance from my right hon. Friend that she can use her position to ensure that the same happens here, and happens speedily, right to the top of our organisation.

How we deal with bullying and sexual harassment really matters. This new process will build people’s confidence in the system, and as a result we may see an increasing number of complaints. That is not a sign that our organisation is in trouble. It is completely the opposite: it is a sign that the organisation is getting to grips with a problem, and gaining the confidence of its employees by talking about these issues more openly than has ever been the case in the past.

Again, I pay tribute to my right hon. Friend. This is an extraordinary step forward for Parliament, and I hope that the Select Committee will be able to look at the reviews of the system as and when they are published.

Pete Wishart (Perth and North Perthshire) (SNP): It is a pleasure to follow the right hon. Member for Basingstoke (Mrs Miller), who chairs the Women and Equalities Committee, and I look forward to the publication of her report next week. I think that it will make a useful contribution to the general debate that we are having about these issues in the House.

Let me start by thanking the Leader of the House for her opening contribution, and congratulating her on the leadership that she offered throughout the deliberations of the steering group. It seems a long time since the group was formed after all the party leaders had met. This has been quite a journey, as I think all of us who have been involved will agree. Certainly, during my 17 years in the
House, I have not been involved in a piece of work that has been so detailed, so considered and so comprehensively reviewed, and rewritten on several occasions.

That says a great deal about the diligence of all the members of the group, many of whom are in the Chamber today, and the amount of work and effort that we have all been prepared to put in—particularly in trying to get down to London from Scotland on Monday afternoons in time for the meetings with staff. I think that that effort should be recognised. I also thank all the members of the secretariat who are sitting in their Boxes this afternoon for their hard work, and the commitment and the sheer effort that have gone into the delivery of this very good report.

The report is a joint piece of work which has involved Members of this House and the House of Lords, but, most important, it has involved members of staff and trade union representatives, as has already been recognised today. That is a novel and innovative way of working, and I cannot commend it enough: I think it is great. I think that the most important part of the report is the first sentence of the first paragraph, which states:

"It is vital that all those who engage with Parliament, whether working or visiting, are treated with dignity and respect."

That is an obvious statement, but it cannot be repeated enough. It underpins every other part of the report, and every part of the work that we have undertaken.

In the last few months, we have tried to make sense of the motion that was passed in February, when the House agreed unanimously to proceed. The way in which the workstreams have been designed during those months has been very helpful and useful, enabling us to identify particular issues that needed to be addressed and ensure that there was a practical way forward. Hopefully, we now have a robust and effective regime that everyone in Parliament will be able to endorse and support.

That regime offers a strong foundation to promote better behaviour and improve the culture of Parliament. It delivers the commitments set out in the motion that was passed by the House in February, and, specifically, it helps to deliver a new behaviour code that recognises the need for Parliament to meet the highest ethical standards of integrity, courtesy and mutual respect. That has underpinned the work of the group over the past few months.

There will be an independent complaints and grievance scheme to underpin the code. There will be procedures to deal with reports of sexual harassment, which will include the provision of a specialist independent sexual violence advocate service and an independent specialist investigator. There will be a system of training to support the code, and work will be done to implement cultural change in order to support its principles. The Leader of the House is right: no other legislature in the world has attempted to do such ambitious work in this regard. Hopefully, it will set a standard for other legislatures not just throughout the United Kingdom but throughout the world, by showing what can be done when everyone gets together and tries to make progress.

There is always more to be done. As the report says, reviews will be held six and 18 months after implementation to ensure that we have made the necessary progress and can address the many issues that will doubtless arise. I am pretty certain that we have not managed to cover everything. I know that there have been many conversations and debates about other matters that could have been included in the report. I think that the reviews will be a useful starting point which will help us to establish whether anything needs to be covered further, and will, I hope, define and determine future work and inform the policies of the future.

Several issues consumed the group. For instance, we spent a great deal of time dealing with the issue of historic cases. I think there was general disappointment that the new scheme could not cover such cases, and we tried at least to do something to ensure that they could be taken up. Legal advice has, of course, been swirling around, and I invite Members to read, in the appendices of the report, about the advice that the group secured, about the comments of the group, about the advice that the group secured, about the advice that the group secured, about the advice that the group secured. I hope, define and determine future work and inform the policies of the future.

I hope that what the Leader of the House has said about enabling people to come forward with historic cases will satisfy the House. It is disappointing that that could not be included in the scheme, but there is a route for such cases to be addressed, and I hope that Members will find that sufficient. We are well aware of the Dame Laura Cox review, and hope that it will inform some of the views that we will be able to take in six months’ time, when we presume that Dame Laura will be able to report to Parliament.

I think that the new direction offered to the Parliamentary Commissioner for Standards is equally important. We concluded that the PCS remained the only viable authority for the assessment and handling of sanctions. Being asked to consider issues relating to behaviour and bullying will present new and significant challenges. However, the commissioner is entirely independent, and it is almost impossible to ensure that the independence currently enjoyed by the PCS can be replicated elsewhere. Obviously, the report contains new guidance on the operation of the PCS.

The chairman of the Committee on Standards, the right hon. Member for Rother Valley (Sir Kevin Barron), has tabled an amendment to the motion, and several concerns have been raised about transparency. That is just one of the tensions that emerged throughout our deliberations. I think that every member of the steering group was profoundly disappointed by the prospect of the loss of a degree of transparency to address the issue of confidentiality for those who might be minded to come forward. I will listen carefully to what is said by the hon. Member for Brighton, Pavilion (Caroline Lucas) before I finally decide on my position, but I am veering towards what was said by the Leader of the House, and
I hope to be able to accept her views on confidentiality. That has to be at the centre; everything has to start from that.

**Sir Kevin Barron** (Rother Valley) (Lab): Would the hon. Gentleman be happy as a Member of this House if somebody went to the local press and said that he had been accused of breaching the code of conduct—not the new code of conduct, but the current one—and there was nobody to deny that an investigation was taking place, so he just had to accept the accusation?

**Pete Wishart:** In all honesty and candour, I would not be happy with that, but we are trying to secure that the starting point is confidentiality for the people who come forward. There are compromises and things that are uncomfortable and unsatisfactory, and perhaps in the six-month review—this is a request to the Leader of the House—we can start to look at this again. I understand totally both sides of this: I hate the idea that we are losing transparency on issues to do with the normal work of the Parliamentary Commissioner for Standards, and we must try to address this further.

**Kate Green:** I understand the concerns about people coming forward, but for non-ICGP complaints, we have had a system for several years whereby, as soon as an allegation is made and it is open to investigation, it becomes public, and there is no evidence that that deters people from making reports for investigation, so I urge the hon. Gentleman to consider the amendment sympathetically. It does not mean that those who report allegations of bullying and harassment will not have their confidentiality protected; it is simply in respect of complaints that we have already investigated, over many years, and the way in which the Committee wishes to continue to investigate.

**Pete Wishart:** Again, I do not disagree with anything the hon. Lady says. That is why I am torn between both positions. I accept the need for consistency to ensure that confidentiality is at the heart of what we do, and I also want to deal with the issues the hon. Lady raises.

**Andrea Leadsom:** I am grateful to the hon. Gentleman for his considered words on this, and I want to assure all Members that this is not about rolling back transparency. I have asked whether the Standards Committee might consider a time-limited removal of that. I completely accept what the hon. Member for Stretford and Urmston (Kate Green) said—that since 2010, the PCS has been able to name an individual on whom she is opening an investigation—but her role has significantly changed, and to have one process for non-ICGP and a separate one for ICGP is confusing. I asked the Committee whether it would consider dropping it for the first six months while the new procedure gets up and running, and it refused, which I find slightly astonishing. This is a genuine attempt—I do not think anyone would accuse me of not making a genuine attempt—to put confidentiality at the heart of the process for the sake of the complainant.

**Pete Wishart:** I have no issue with the Leader of the House on that; I accept that she has tried to do that, and I think we have all been trying to do so, but unfortunately we are at a point where there are disagreements among those of us who have been involved in this report, and we now see the amendment of the right hon. Member for Rother Valley and hear the concerns of the Standards Committee. I still want to hear from colleagues before I make a final decision, but I am veering towards the view of the Leader of the House on this. We must be consistent in how we deal with all these cases in this House.

**Rachael Maskell** (York Central) (Lab/Co-op): I have just checked Standing Order No. 150(12)(b) again, and its wording will not protect anonymity if there is no change. I am disappointed that the motion is not quite right and nor is the amendment. Therefore, because of the risk the amendment brings of breaching the confidentiality of a reporter in these cases, it cannot be supported, but we must address this issue in the six-month review and get it absolutely right.

**Pete Wishart:** That is a very helpful intervention, and perhaps the Leader of the House will confirm in summing up that this will be at the heart of the six-month review. Out of all the issues we have had to look at, this has been the most controversial and the most debated. If she can give an assurance to those of us in the group who are conflicted about this, that would go some way to assuaging my concerns, and perhaps those of Committee colleagues. I therefore ask for a solid commitment from the Leader of the House that this will be at the heart of the six-month review.

I want to address a couple of other important matters. The most important of them is training; this is a critical part of the report. The ideal situation is that the measures in this report are never deployed, and that means assisting Members and staff in how the code will apply. I am pleased that the features included in the training pack will be as follows: what constitutes bullying and harassment and sexual misconduct; the impact of inappropriate behaviours; the impact of power and unconscious bias on behaviours; ways to help prevent all forms of bullying and harassment at work; what to do if unacceptable behaviour happens; the role of the manager in preventing all forms of bullying and harassment at work; and informal and formal approaches to tackling unacceptable behaviours.

This is a once-in-a-generation opportunity to make the change needed to ensure that we all consider what we can all do to promote dignity and respect in our workplace. We encourage all members of the parliamentary community to support this scheme wholeheartedly and to uphold the important values it promotes. Some 15,000 people work in and around the parliamentary estate; I do not know how many visitors we get per year, but I suspect it is a greater number than that. We must make sure we serve them all and that anybody who has any contact with this House will be treated with the dignity and respect that underpin this report.

One thing that should unite everyone on the estate is the conviction that all who work here have a right to expect to work in an environment that is free from bullying and harassment, especially sexual harassment. There should be zero tolerance of any inappropriate behaviour. Parliament has to lead, because Parliament is the forum of our national debate and the centre of our democracy. We would shirk our responsibility if we did not tackle this issue and put out the strongest possible statement that such behaviour is unacceptable in this place. If we do not lead and establish solid
procedures and processes to deal with our own issues, we will let down the people in every office block and every institution throughout the country, so it is our job to do this. We have to set the example, and I believe that this document does that. I hope the entire House wholeheartedly supports it.

1.36 pm

Sir Kevin Barron (Rother Valley) (Lab): I beg to move amendment (a), in paragraph (4), leave out from “Report;” to the end.

I wish to begin by paying tribute to the work of the Leader of the House and her colleagues on the steering group. The Select Committee on Standards has worked very closely with the steering group on the various work-streams over the past few months. There is one issue over which we disagree, and I have tabled an amendment to deal with it, which I will come to shortly. Because I and some of my Committee colleagues have tabled that amendment, under the rules of procedure we are not able to put our names to the main motion; otherwise, I personally would certainly have done so.

I want to emphasise that, this one area apart, the Standards Committee is completely in accord with the steering group and its delivery report. We strongly support the work that has been done to bring Parliament into the modern age in terms of personal conduct. This is not about complicated rules or codes or Standing Orders; it is about ordinary human decency.

People should not bully or harass other people. They should not sexually harass them or abuse their power. That is obvious, and yet not everyone in this institution has behaved in a morally decent way. Parliament should be giving a lead on this, but we have been lagging behind. The Standards Committee made a big effort some years ago to expand the code of conduct to include some aspects of personal behaviour, but this was undermined when it came to be decided in the House by what I may call today “the forces of reaction”. Now we have another chance, and we must take it.

The Committee set out its views in a report published last week. This focuses on matters which are the direct responsibility of the Committee—in particular, complaints against Members and the role of the Parliamentary Commissioner for Standards. We have worked with the steering group to develop proposals to ensure that Members are properly held to account while maintaining an independent, fair, trusted and effective process.

We support the new parliamentary behaviour code. We propose that it should be incorporated in the Members’ code of conduct, alongside an additional rule stating that:

“A Member shall treat his or her staff, and all those working for or with Parliament with dignity, courtesy and respect.”

This will ensure that Members can be held fully to account for any instances of bullying, harassment or sexual harassment. The motion before the House today will achieve that.

We have given a great deal of thought to how the complaints process will work under the new system. Clearly it has to be sensitive, and supportive of the people who wish to bring forward complaints, but at the same time it must follow the principles of natural justice and be fair to the people who are complained about. We believe that the new system should build on the strengths of the existing system, in particular the role of the independent parliamentary commissioner, while tackling some of its weaknesses. We and the steering group propose that investigations relating to complaints against Members should be overseen by the independent commissioner.

In our report, we set out the background of the current commissioner, Kathryn Stone, who was recruited on merit through open and fair competition. She has a background in child protection and social care, and she has shown independent-mindedness in previous posts, including the particularly sensitive posts of commissioner of victims and survivors in Northern Ireland, commissioner of the Independent Police Complaints Commission and chief legal ombudsman for England and Wales. She also ran a charity for victims of crime, including sexual offences, for 11 years. I have had the privilege of seeing Kathryn in operation, and I have no doubt at all that she is a tough-minded person who will be fiercely independent in carrying out her new responsibilities.

The role of the Committee on Standards under the new system will be to carry out any appeal function that might be required. The ultimate decision on sanctions in serious cases will be taken by the House itself on the basis of a report from the Committee, with the complainant anonymised and the report subjected to any redactions that the Committee considers necessary to protect the complainant. I know that some people are sceptical about involving the Committee because they think it will be a case of MPs marking their own homework. I have heard that view quite a few times in the media. I understand that point of view, but it does not reflect the reality of how the Committee operates. In particular, it does not take account of the crucial role of our independent lay members. There are now equal numbers of lay members and MPs on the Committee.

The lay members’ role is not widely understood. Our report gives more detail on this, and I urge Members to read it. In particular, they might like to look at the CVs of the lay members, which are set out in the appendix. They are members of the public, chosen on merit through open and fair competition, from diverse backgrounds and with a wide spread of experience and skills. None of them has been an MP, and nor are they in any way part of what people would call the parliamentary establishment. In general, the lay members work closely and harmoniously with the elected Members.

The Committee—like other Select Committees, and arguably more than most—proceeds by consensus. I have chaired other Select Committees in this House that have not had the type of consensus that the Committee on Standards works to. However, the lay members do not have voting rights—which we are aware of now—partly because of a concern that to confer such rights on them might open the work of the Committee to challenge in the courts. This concern is based on the ground that it is not a properly constituted Select Committee entitled to the protection of article 9 of the Bill of Rights 1689. Notwithstanding this, any lay member has the power to append an opinion to a report of the Committee. That power has never been exercised, but it has been seen as an essential safeguard for the lay members’ independence. Any one of them could at any time express an opinion on any of our reports dealing with Members’ conduct, but they have never done so because of the consensual way in which we operate and because of the fairness with which we adjudicate against Members of the House.
Indeed, there have been only two occasions on which formal votes have been held since lay members first joined the Standards Committee. The most recent was in May this year. That led us to review our procedures, because there was clearly a flaw in the arrangements. Lay members can append an opinion to a Committee report but they do not have such a right if the Committee divides on a motion not relating to a report. As a general rule, this does not matter because most Committee decisions relate to reports. Reports are how we announce our decisions on individual cases. However, at the meeting in May, two votes took place on motions relating to the commissioner’s right to start an investigation. This drew attention to the fact that lay members had, in those unusual circumstances, no way of putting their views on record.

We have therefore introduced a new system of what we call indicative votes. This means that before the Committee has a formal vote involving only MPs, it should have a non-binding vote involving the whole Committee. We give more detail about this in our report. The motion before the House today will make this binding on the Committee, as we requested. In fact, the motion goes further than we requested, because it requires indicative votes to take place before all Divisions, including those on reports. We discussed this in the Committee last Tuesday and we are entirely happy with that. I should repeat that the vast majority of Committee decisions are taken by consensus. The point of the new procedure is to make it even less likely that things will be pushed to a formal vote. I certainly hope that that will be the case.

I should also mention that it would be wrong to think of the Committee as consisting of two opposing blocs: lay members and MPs. Except in relation to formal voting, both types of members are treated in exactly the same way and we work as a unified team. We are aware that indicative votes are an interim measure. Along with a majority of my colleagues on the Committee, I would like to see full voting rights given to lay members. We have called on the Government to bring forward primary legislation to guarantee that free speech in the Committee is protected by parliamentary privilege, as set down in the Bill of Rights 1689, in order to allow the extension of full voting rights to lay members. I hope that the Government will respond positively to this request.

Finally, I come to the one point of disagreement between the Committee and the steering group. This relates to the proposal in the motion to change the existing system under which the commissioner publishes details of ongoing investigations on her website. We entirely accept and support an extension of confidentiality in relation to complaints under the new system, particularly in relation to sexual harassment. There is a real need to ensure that victims of sexual harassment are given the confidence to use the new system, and confidentiality will play an important part in achieving that. We set out in detail in our report how this will operate, and we are in agreement with the steering group on that.

The difficulty for us arises from the proposal to extend confidentiality to complaints under the existing code that relate not to bullying and harassment but to financial misconduct or the abuse of House facilities. At the moment, the commissioner announces the names of Members when she launches an investigation, along with a brief statement as to the nature of the alleged offence. We can see from the commissioner’s annual report that the vast majority of complaints that go to her never get anywhere near to an investigation. They normally involved wild allegations that are made without substance or evidence, and they effectively go nowhere. Of those that are investigated, very few come to the Committee for adjudication. The commissioner rectifies people’s misapplication of the rules on issues such as the misuse of parliamentary envelopes, for example, so we do not see that this is a major issue for the House.

The rules were agreed by the House some years ago in the wake of the expenses scandal, and were seen then as an important way of demonstrating transparency and openness. I was on the Standards Committee from 2005 to 2010, and I was a winger during the expenses scandal. I can tell the House that there was a real need for openness at that time, and a real need to let the people of this country know that we were being transparent and open in our dealings on their behalf. We believe that transparency and openness should continue to apply. There is no doubt that if the House votes for the Leader of the House’s motion today without amendment, many people outside will criticise us for rolling back the openness that was agreed back in 2010 following the expenses scandal.

Layla Moran (Oxford West and Abingdon) (LD): My question is simple. Under the plans proposed by the Leader of the House, is there any chance at all that an MP who is under investigation for sexual misconduct would be named?

Sir Kevin Barron: No, there is not, and I will go on to that. What the amendment does to paragraph 4 comes after the issue to which the hon. Lady just alluded. We are not going to stop anything. As I have said, confidentiality is crucial to the policy’s success.

Rachael Maskell: The reality is that this is about amendment of the Standing Orders, which govern the procedures of the House, so while I accept that the motion is not necessarily in the right place, without the amendment it could lead to the identity of a reporter being exposed.

Sir Kevin Barron: I will say—this is an aside—that I have been in this House for 35 years, and I have seen many allegations made against Members of Parliament for all sorts of reasons. Quite a lot of them come from the press, the television or stings in the media, and the idea that we have anything to shy away from in these decisions is not true. We agree that sexual harassment and bullying cases require confidentiality to ensure that people will come forward and speak out so that action can be taken. The Committee carefully considered the Leader of the House’s arguments for making the changes, and we understand why she has put them forward. However, we do not think that they outweigh the reputational damage that may arise if we go ahead with this proposal as drafted. It will be presented as MPs trying to cover up their misdoings.

The proposal is also good news for anyone who wants to smear an MP. They can simply tell the media that the Member has broken a rule and is under investigation, and, since the Parliamentary Commissioner for Standards will effectively be gagged, she will not be able to confirm or deny it. The rumour will continue and no one will.
have the authority to put the record straight. Members ought to remember that that could happen. On most occasions, that is how things work for the Committee on Standards as it operates under the current code of conduct.

The proposal goes beyond the independent complaints and grievance policy and is not essential to it. We do not believe that the publication of whether a Member is under investigation will cause irreparable damage to that Member’s reputation. I could cite the example of the right hon. Member for South West Surrey (Mr Hunt), who was recently under investigation by the commissioner following a complaint. It was in the national press and on national television, but it does not seem to have done his career any harm whatsoever because he was appointed Foreign Secretary last week.

The Committee was unanimous on the issue. All the lay members have written a joint letter to me, which has just been posted on our website, and I will read out the key paragraphs:

“Through our involvement in the work of the Committee we recognise the unusual, and sometimes precarious, nature of the role of MPs, the media interest they deal with on a daily basis and therefore, the importance MPs rightly place on their reputation. We also recognise the importance of the reputation of the House and the impact the actions and behaviours of MPs can have on how this is viewed.

Our experience to date suggests that publication of an announcement that an investigation is taking place does not cause significant damage to an MP’s reputation and, on a number of occasions, the matter is already in the public domain through the media. Therefore, in our view, the announcement can provide assurance that concerns are being handled independently and in a fair and impartial manner.

Our view is that the current practice followed by the Parliamentary Commissioner on Standards, and explicitly agreed by the House in 2010, creates the right balance between the individual reputation of MPs and the collective reputation of the House. Any proposals to limit this approach would be a detrimental step in continuing to build the credibility of the reputation of the House.”

I think those views make the case for the amendment very well.

The reason why the Committee on Standards has lay members is probably because, back in 1999, I was appointed as a lay member of the General Medical Council. Three Members of Parliament were appointed to it at that time, and I dealt with fitness-to-practice cases where doctors were in front of us, for example, and I thought that I played a constructive role. The first time that I said that the Committee on Standards ought to have lay members I remember a few sets of eyes widening, but the way that the lay members have operated for years now has been to the credit of this House. It certainly gives us a lot more credibility than if MPs were marking their own homework. When this motion is put to a vote, I hope that Members will recognise that lay members are helping us to change the culture in Parliament, just as the report does, which I do not take anything away from.

Obviously, the Committee on Standards will accept the decision of the House on this matter, and my colleagues on the Committee and I look forward to giving every assistance we can to the new complaints system as it is implemented. I repeat my congratulations to the steering group on its marvellous work. The acceptance of the report today marks significant progress towards building further public confidence in the standards expected of all Members of the House and shows our determination to uphold the rules if they are not met.

1.57 pm

Jess Phillips (Birmingham, Yardley) (Lab): I want to add my voice to the many people who have spoken already and to the many voices who have called me since they met with the Leader of the House and saw the proposals—the voices of the many women and men involved who brought us to this point—in saying what a positive step forwards this is. As someone who has been a naysayer all the way through the process, I thought that it would never be good enough—there would have to be a million tick boxes to satisfy me—but what is outlined in this very detailed and quite long document is to be commended, and I feel confident that people will and should bring cases forward.

It will be a massive pleasure for me to no longer be the referral system for victims of violence in this building. I have been exhausted by the stories that I have heard since the situation started to break in October last year. I think that I am up to around 50 complaints about Members from a variety of people from different political parties and others who work in and around politics. It will be delightful to hand those cases over.

It would be wrong of me to say, as the right hon. Member for Basingstoke (Mrs Miller) has already outlined, that I do not have concerns about historical cases, not least because most of the cases that caused us to do anything will not necessarily be able to go through this system. I have deep trust in the Leader of the House and in her desire to make this right and to make sure that wherever possible, regardless of when a situation may have happened, there are still ways for this system to look after, care for and respond to victims and to give them independent advice on how to manoeuvre around the system.

It has always been a part of our code of conduct, whether in 1864 or today, that we must not bring this House into disrepute, which is an enormously broad term. I would argue, and I do not think it is up for debate, that sexually harassing our staff brings this House into disrepute. My right hon. Friend the Member for Rother Valley (Sir Kevin Barron) rightly said that we should all have great faith in the credentials of the Parliamentary Commissioner for Standards, as well as in her attitude and tone. The way she works with Members of Parliament should fill people with hope for the system, and she has plenty of scope to take complaints from people who may not fall within the 2017 issue raised by this specific report, but there are still things in the code of conduct that have definitely been broken in many of the cases I have heard, so I look forward to the review.

It is brilliant that we have a six-month review, and it is a new way of doing things around here that, after we sign a piece paper on day one, we do not just believe that nothing has to change and that everything will be perfect. This system will absolutely be tested by the first person who goes through it.

Mrs Miller: Does the hon. Lady share my concern about how the amendment might incite idle speculation about the identity of victims, which we know could be devastating to those individuals?
I agree with the right hon. Member for Basingstoke that, perhaps at the six-month review, we need to consider a whistleblowing or bystander element, because we all see all sorts of things going on in here. We need to be confident, our staff need to be confident, the Doorkeepers need to be confident and the people in the Lobby need to be confident in knowing whether or not they should be reporting such things. I seek to have that in future.

Once again, I commend the Leader of the House, the working group and the brilliant people who advised them, some of whom I deeply trust. Finally, a massive thank you to the victims who stepped forward, because none of us would be standing here without their bravery. They are considerably braver than we are.

2.8 pm

Layla Moran (Oxford West and Abingdon) (LD): I apologise for not rising to my feet quicker, but I was looking at Standing Order No. 150.

I should have started by saying what an honour and a privilege it has been to sit on the steering committee, albeit for an incredibly short amount of time, as I stood in for my hon. Friend the Member for East Dunbartonshire (Jo Swinson). I am sure many will agree that not just in this process, but in her former role as a Minister, she has been an inspiration on such matters.

I also pay tribute to the Leader of the House, to every other member of the committee and, of course, to all the staff. I have been a Member for just over a year, and the committee has been a remarkably collegiate cross-party effort. The process has been wonderfully thoughtful and absolutely driven by the evidence. Nothing has been left unquestioned, and the tone and nature of this debate, which has caused me to go on the internet to look up paragraph (12) of Standing Order No. 150, is a credit to the process. We need to get into that level of detail.

It is crucial in all these matters that six and 18-month reviews months are held at those times and there is no dithering, but it was also crucial that we got going. There were points at which we felt, “There’s so much to do. Are we going to get this done by recess?” It was crucial that we did, and it is good that we have moved forward. When thinking about whether or not we support amendments, we need to think of the perhaps dozens or more victims who will consider coming forward as soon as the procedure has been published. They want to tell their story and have probably been waiting for the past nine months to get going on that. Above all, we must put them first. I do not think the 18-month review needs to be the last review. I wish to put on record that as the 18-month review will come exactly a year after the six-month review, we will then need a yearly review of procedures, because these things always change over time. It is important that we are never again left in a position where this place is behind the rest of the country. I want to see the process for such reviews written down somewhere, because we have left it that the 18-month review could possibly be followed by further reviews, and I would like to see that formalised.

Let me deal with the issue of historical allegations. We now expect a large number of people to come forward. I hope that they do come forward, because that is what they need to achieve closure. Regrettably, it feels as though it was more wrong to engage in some of this behaviour before the start of the last Parliament and,
of course, it was not—for the whole of my life it has never been right to bully anyone or to sexually harass anyone. Of course, I know that that is not the sentiment of what the steering group was trying to achieve, but one must always read these things from the point of view of someone who is looking at the procedures for the first time. I hope that the inquiry will have enough teeth to achieve not only some closure and signposting, but, when possible, redress for the victim and punishment for the perpetrator.

Let me deal with the point about transparency, which was why I was frantically looking at my iPad. I do not want any of those potentially dozens of people coming forward to the House to feel that there is any chance that they could be identified, so I have played around with a few scenarios of how this might work in my head. Currently, neither the amendment, the Standing Order nor the motion absolutely guarantees that an MP’s name will not be published. We know how small our offices are, and this is one of the reasons why the optics are so bad. Most people out there do not appreciate that in my office I have just one parliamentary assistant. They think we have large teams behind us, but that is just not the case. In Portcullis House, these people’s names are written on plaques by the names of the MP, so it is easy enough for a journalist or anyone else to wander around, see one of these names and then try to catch the person in a bar outside. My concern is that if ever there was a chance that that could happen, that would be front and centre in the mind of a complainant considering coming forward.

I will not say more than this, but there have been two occasions in my life as a candidate when I was a victim of some sexual harassment, albeit not terribly and not enough that I took it to anything formal. I know that many other Members have done that, as have many other staff members in this place, who are particularly but not exclusively female. The No. 1 thing in my mind was, “This is hard enough to say, and it is hard enough to even admit to.” If there was any chance that I could have been identified, I certainly would not have then gone on to flag this through the right channels.

At the moment, there is that chance. I am not at all questioning the background of the Parliamentary Commissioner for Standards or asking whether we are not all in agreement on this point. However, given Standing Order No. 150 as it stands—and even without any of the amendments to it—I am not entirely convinced that we have gone far enough with this. To echo what other Members have said, I believe that this needs to be front and centre of what we look at in the six-month review, along with things such as mandatory reporting from third parties who see such behaviour, as part of the culture change.

Victims need to come before optics. I have not come to this place just to do what makes me look good; I have come to this place to do what is absolutely right. I am not saying that others have not done that, but at the moment I am not totally convinced that we have got this 100% right for victims.

I shall end by talking about culture change. I am told that I am the oldest type of millennial that one can be, and this is my third career. I have worked in countless places. On walking into this building on the Monday after my declaration, which came on the Friday at 4 am, I found the induction and training for MPs and MPs’ staff to be the worst of any employer I have ever been to. That is partly because we employ ourselves; in essence, we are entrepreneurs, with mini offices. That was not something that I understood even as a candidate, even though one would think that a candidate would look at what they were getting into—I should point out that it was a snap election. People out there perhaps do not realise that about this place, but we do and we have known it for a long time. I thought for a while that perhaps that was because I am a Member from a smaller party and that the bigger parties would have stronger processes for induction and so on, but that is not the case.

The point about putting culture change at the heart of what we are doing through this grievance procedure is key, because if something gets to the point of a complaint, we have already failed, as someone has already been hurt somewhere. Leaving aside malicious complaints, if a genuine complaint is made and upheld, something has gone wrong. This should be the best place to work for anybody in the entire country, but we have lagged behind for a very long time. Let us stop that now and bring this motion. We should be immensely proud of the proposal. All political parties need to catch up, but it is not just political parties that need to act, because we should be a beacon of good practice for the rest of the country. Let that start today. I was pleased to put my name to the motion and I am delighted to have been part of the process. Let us never fall behind again.

2.17 pm

Caroline Lucas (Brighton, Pavilion) (Green): Westminster is the first Parliament anywhere in the world to have tackled bullying, harassment and sexual harassment so comprehensively, and huge progress has been made towards making this place a safer, more respectful and more equal environment. I join those who have thanked all members of the working group for their contributions. In particular, I pay tribute to its chair, the Leader of the House, for her commitment to change, her leadership and her seemingly unending patience. I also want to thank the secretariat, our special advisers, the staff representatives on the group, and those who came to speak to us on behalf of their trade unions to increase our understanding of the issues we were seeking to address. As others have said, more than anyone else we need to thank those who were brave enough to come forward and put in the public domain the kind of experiences they have had to go through, because that has been a driving force for all of us to work with the urgency and commitment that we have.

The report, and its policy and procedures, are really important steps, and it is welcome that we have built in from the outset mechanisms to ensure this is the start rather than the end of an ongoing process—others have referred to those. Although we are rightly celebrating what we have achieved, we must be mindful of what more there is still to do. I hope that the Leader of the House will forgive me if I concentrate on the areas where I think we have a further to go, rather than simply celebrating what we have achieved. That is not because I do not think we have achieved a lot, but if we are to be the best we can be, we still have a bit of a way to go.
I wish to start by discussing making the final stages of the new system more independent—truly independent. I know that every effort has been made to guarantee independence at the point where reports are made and investigations are carried out. I hope that that will give everyone in Westminster renewed confidence in the system, and that all bullying, harassment and sexual harassment will be treated with the seriousness and objectivity to which all workplaces should aspire.

The principle of full independence is still somewhat undermined by allowing MPs to play a role in final decision making about serious complaints involving colleagues. The motion goes some way towards addressing that, for example by recommending that lay members of the Standards Committee are allowed an indicative vote, but the final decision to trigger the recall of an MP will still be subject to a vote of the House of Commons and, at least as it stands, lay members of the Committee still do not have full parity with MPs. I note with much approval that the Chair of the Standards Committee, the right hon. Member for Rother Valley (Sir Kevin Barron), is in favour of looking again at the role of lay members and has put on record that he is in favour of primary legislation to establish the absolutely equality of lay members in a Standards Committee vote.

Some aspects of the process are still left in the hands of MPs. One of the obstacles to further reform and making the system genuinely independent was concern that an MP might launch legal action if someone undetected had a say in a recall decision. I remain of the view that, with the right political will, that and other objections could be overcome. Recall rightly leaves the ultimate decision in the hands of the electorate, so a mechanism that, for example, gave the Parliamentary Commissioner for Standards the power in some instances to trigger the recall process herself, could offer a way for MPs to be further removed from the process. I appreciate that that is a radical proposal and I do not expect it to find agreement in the House at the moment, but to my mind it is the logical consequence when we say, again and again, that MPs should not mark their own homework. Only such a radical proposal would ultimately ensure genuine independence from party political influence from start to finish.

I very much hope that the possibilities I have outlined, and others, to build on what has been achieved to date will be reviewed as a priority, because staff otherwise risk continuing to lose out through a system that still protects MPs just that little bit more. That risk is also there when it comes to the handling of historical complaints. It is important to be clear that the new independent inquiry will hear reports of historical complaints. The new system will allow those affected to access emotional support and signposting to next steps. That will mostly be either to party political grievance mechanisms, the police or, in the case of House staff, the previous Respect policy. It is widely agreed, however, that the Respect policy was not fit for purpose in respect of such issues. Historical complaints referred to the new process cannot result in outcomes or sanctions other than those that were permissible at the time of the incident. That is even more the case for behaviours that have clearly always been wrong, such as sexual harassment or bullying, but which Respect has been shown to be unable to deal with fairly.

Staff employed by MPs were never covered by Respect, and those not employed by their party have no prior system to have recourse to in the case of a historical complaint, if they seek more than the opportunity to be heard and to get emotional support. Those employed by political parties have that route but, as we know, there are signs that the promises made by every political party to get their own houses in order have not yet been properly fulfilled. In other words, the decision to impose an arbitrary 2017 cut-off point for historical complaints, alongside the independent inquiry, does not take us far enough. It leaves many people still unable fully to resolve their historical complaints.

There are some important and potentially game-changing provisions in the new policy and procedures, including those allowing multiple offenders to be identified and pre-2017 allegations to be referenced if a live case involves the same parties. But we should not let those real positives cloud the fact that some staff continue to be let down. The working group received legal advice noting the increasing difficulty of delivering fairness the further back in time one goes. That is true, but the advice also made it clear that, if there was enough political will, ways could be found to accommodate that. In some instances, for example, there may be written evidence that makes wrongdoing very clear. I hope that the six-month review will look again at the 2017 cut-off date and that historical allegations will come before whatever group is set up to look into allegations, because I do not think we have got it quite right yet.

Let me say a few words about promoting long-term cultural change. Although some voluntary measures have been put in place, reforms that will deliver real and meaningful culture change, such as compulsory consent training and meaningful good employer training for all MPs and peers, have been delayed until after the next election. Apparently, the justification is that nobody knows when they stood for election that they would have a say in a recall decision. To that I say that nobody knew when they came to work in Parliament they might have to put up with furniture being thrown at them or being groped. Action after the next election—probably in 2022—is better than never, and Parliament’s committing to taking action at all obviously sends a powerful and positive signal, but it is still hugely frustrating that there is not more understanding of how a culture of mutual respect and accountability benefits everyone. I hope that that time will come, because we urgently need a politics that is more equal, transparent and ethical—one that tackles all kinds of bullying and harassment, and which in particular moves us beyond #MeToo and #TimesUp by helping to dismantle privilege and what are all too often male-dominated hierarchies. That will be possible only if we keep up the pressure and continue to face up to ongoing obstacles to change, which are, in too many instances, vested interests and political self-interest.

If we want genuine confidence in the new system and the ongoing commitment to transforming the Westminster culture, we need to signal clearly that we want to continue to learn and improve, and we also need to be less risk averse. This is about leadership and setting an example. We need continued bold action, and if that means that we get some of our more recalcitrant colleagues, so be it, frankly. The new behaviour code, by which all of Westminster will be expected to abide, asks that individuals recognise their power, influence and
authority and do not abuse them. I would have liked that to be included in the motion, as it goes to the heart of what we need to see.

Finally, let me address the amendment with which we are all grappling as we try to work out the best way forward. Let me say loudly and clearly that if I thought for a moment that by deleting the part of paragraph (4) of the motion proposed in the amendment we would in any way put at risk the confidentiality of victims in ICGP cases, I would not support it, but I do not believe that that is the case. I agree with the hon. Member for Oxford West and Abingdon (Layla Moran) that, in a sense, we are in a position of trying to weigh up options when none of them are optimal. None of them absolutely gives us everything that we want regarding a firm guarantee when none of them are optimal. None of them absolutely gives us everything that we want regarding a firm guarantee when none of them are optimal. None of them absolutely gives us everything that we want regarding a firm guarantee. That has to be the bottom line. I do not believe that the amendment would undermine that.

What is at stake is the issue of whether consistency is more important than transparency. To my mind, transparency is more important in this instance. Consistency is nice to have, but I think we can explain why there is a difference between the way in which we treat someone who fiddles their expenses or who fiddles paperclips, and the way in which we treat people who have made allegations of sexual harassment and bullying, with follow-up investigations. We can explain that inconsistency an awful lot more easily than I would find explaining why we were rolling back on transparency. I do not think this is about optics versus the protection of victims—if I thought that, I hope everybody would know that I would of course have the protection of victims as the overall objective—but I do share the sneaking suspicion voiced by the hon. Member for Birmingham, Yardley (Jess Phillips) that there are other forces at play that are leading us in this direction. I have no evidence of that either, but it feels like that is more likely explanation for why we feel ourselves in this difficult position.

I shall continue to listen to the debate, and particularly to the hon. Member for York Central (Rachael Maskell), because she seems to be on top of the Standing Orders, but from what I have heard so far, I do not believe that the Standards Committee’s amendment would undermine victim confidentiality. If I did believe that for one moment, I would not support it.

2.28 pm

Rachael Maskell (York Central) (Lab/Co-op): We have had an excellent debate, conducted in very much the right tone. We exist in communities, not least this parliamentary community, so every decision that we make, action we take and word we speak has an impact. There are huge inequalities of power throughout society and, to date, that has also been true of this place. It is because of that inequality of power that we find ourselves where we are. It is absolutely right that we address how to put in place better systems to protect the most vulnerable in society and in our workplaces. We have all at least been caused to stop, pause, and reflect on our own behaviours, as well as those of people around us, and to ask serious questions about the leadership that this place provides.

Parliament holds the role of leadership across our nation and therefore it is incumbent on us to have the highest standards and to ensure that we reflect them in all that we do. The public take their cues from us—what we say, what we do, how we behave. Perhaps we have witnessed or been recipients of inappropriate behaviour in private places. At the big display of Prime Minister’s Question Time, people witness, on a weekly basis, mobbing, belittling, mocking, name-calling and worse.

Given all that, are we surprised that bullying and poor behaviour are endemic across our nation? Such behaviour is endemic in workplaces. It is the biggest issue at work. A third of people in work today have experienced bullying in their working lives—72% by managers—and, of course, it has caused so many people to leave their jobs. In fact, 36% of people who have been bullied leave their employment. Heartbreakingly, we see so much bullying taking place in our schools: 40% of young people today have experienced bullying, and that is just in the past year. We have such a responsibility to set the bar high, and this is, I trust, what we have been doing during this process.

We also need to think about the wider impact on the economy: £18 billion is lost to the economy each year just because of bullying. Therefore, we have a big responsibility ahead of us. I want to thank third-sector organisations and trade unions for the amazing work that they have done to advance this issue. Parliament has arrived at this point because people had the courage to stand up and speak of their experiences in this place, and, of course, we have all paid tribute to those individuals today. I particularly want to thank the Leader of the House for the way that she has conducted our discussions and for her sheer determination to ensure that Parliament changes, and changes its culture. I also thank all members of the steering Committee—whether they be peers, MPs, House staff, trade unions, MPs’ staff and, of course, the officials, who I know have worked extraordinarily hard to reach this point.

We must see change. Today is all about how we can make that seismic change happen in this place. As we have heard, so many people are looking at us not just from the UK, but from around the world, as they reflect on their own Parliaments. Therefore, what we decide today will be of the utmost importance and culture change is at the very heart of that.

We must have permission to challenge and we must have confidence that, when we face challenge, the systems are there to protect us. That is why I very much welcome the behaviour code, which talks not only about looking at what is happening and how we behave, but about promoting our role. We have a responsibility not only to no longer be a bystander, but to speak up. We must not only ensure that our conduct does not include negative behaviours, but exhibit positive behaviours to one another. From your position, Madam Deputy Speaker, and from that of your colleagues in the Chair, I trust that you will remind us of that on a regular basis. We must ensure that we monitor the impact of this behaviour code on this place to ensure that it is doing the job that it is there to do.

We must recognise the power that we all have, how we use that power, and how misuse of power can cause such misery. I welcome the advances that have been made around sexual conduct and the fact that it has been put into the policy. Taking a zero-tolerance approach
is the only way forward. Putting real specialism and expertise into our processes enhances all aspects of this and gives confidence to those who have experienced misconduct in any form.

There will be personal support for all those who report incidents. I certainly will encourage people to raise issues early; when issues are raised early, a resolution is more likely, particularly as the policy focuses on informal approaches. Of course, when the approaches are informal, we need to be very realistic about their impact, because we are still talking about an inequality of power. When we talk about mediation processes, we need to ensure that there are pre-mediation processes so that these processes do not cause further harm if they are exercised. Therefore, wisdom is needed across these processes.

That takes us on to the role of the independent investigation process. For me, this is the most powerful part of the proceedings before us. I am talking about the fact that the investigator is not only an expert in their field, but has no interest in anything other than bringing resolution and justice to the person making the claim. However, I do question—and I have done so at the steering group—the idea of having a commissioner for standards and an independent investigator. Surely, we should trust a true professional who is an independent investigator in fulfilling their whole role. They do not need somebody looking over their shoulder. They should be trusted, through their professionalism and their expertise, to carry out the role that they are trained to do. I trust that we will look at that relationship as time goes by to ensure that they can get on with their job.

I also want to raise the issue of confidentiality, which goes to the heart of the debate today. We have all been studying the motion, the amendment and, what for me is essential, the rulebook—the book that covers the way that this place works. That is why it is so important that we understand Standing Order No. 150. We need to change the rulebook, because no matter how much aspiration there is in the world, it does not bring governance. That is why it is really important that we ensure that good governance is enshrined in the rulebook. The motion has failed to achieve what it set out to do, as it opens up—or closes down perhaps—of those opportunities. It means that those who have been reported for other reasons will also come under this rule. We could have been more nuanced in the way that the motion was written to cover just those who come under this procedure. I also have to say that if we go back to the rulebook under the amendment, it means, unfortunately, that there is risk in the system. The name of a victim of abuse, whether that is bullying, harassment or sexual misconduct, could come to the fore. I do not cast aspersions on the commissioner or the Committee, but I go back to the rulebook as that is our governance.

I have one or two other issues to address before I close. First, I have raised in the steering group the way that sanctions are applied. It is really important that we see equality in applying sanctions and ensure that there is a framework in place for their application. Therefore, I really hope that, at the point of the six-month and 18-month reviews, there is moderation of the penalties to ensure that there is equality in applying sanctions. We will have different people applying those sanctions. It could be that, owing to unconscious bias, some people experience lighter sanctions than others. It is really important that we review what the sanctions were. We also need to know whether they were adhered to and what their impact was. Then we must question what else should be done. I also want to raise the issue of ensuring that we have good data to support the process of review. By the time that we get to six months and 18 months, it is really important that we have a thorough understanding of the impact of the policies.

Another issue relates to non-disclosure agreements. It is important that we understand not only what their role can be in helping and supporting individuals, but how they can be misused. It will be incumbent on the six-month review to take up that issue to see how they have been applied in this House and across the parliamentary community. It may be that we need tighter governance around their use. Often, such agreements—compromise agreements—can be used to buy people off. That is often the failing, and we need to make sure that that does not occur and that people receive true justice.

On historical cases, which I believe all hon. Members raised on the steering group, we need to ensure that everyone has that sense of justice. Personal support will apply to everyone and all will have access to the informal resolution processes in cases that predate June 2017 and of course the legal channels and the ability to refer a case to the Parliamentary Commissioner for Standards will still exist. It is the formal process that people will not have access to, and therefore I welcome the additional independent inquiry for MPs, peers and House staff, but I ask whoever has that responsibility within the inquiry to look into such cases and determine that, if an independent investigation is needed, it is reviewed so that everyone can have the justice they deserve.

I believe that training should be mandatory, as hon. Members have said, and that waiting till the next Parliament will leave it far, far too late. We need to roll it out in this Parliament. It should commence this year. If it is not mandatory, of course, the very people who would perhaps most benefit from it may miss out. I trust that there will be tight scrutiny to ensure that all Member access it at the earliest opportunity and that a focus is given to adjusting the training as the learning continues. After all, this is not just about a process, but about a new culture that we must adopt, so it is important that everyone is engaged.

I welcome the move to a good employment standard, which, in itself, will bring much and long overdue change to how people are treated in this place. We need to take the best employment practices from across our nation to ensure that we do the right thing. We work in a highly pressurised and stressful environment, and it can be incredibly stressful at times for our staff, so it is only right that we do the best for them. Not only should the performance of our staff be monitored; there should be 360 degree feedback for us as employers to make sure that we also are doing the right thing and that staff feel empowered in that process and able to challenge.

In conclusion, these policies, the code and the training start here, should the motion be passed today. Our new journey together around a new culture begins in this place. We must not look back but press forward to create the right working environment for everyone. I particularly thank all the stakeholders involved in the process, but I ask the Leader of the House to seriously consider the role that trade unions can play in enhancing
employment in this place. We have seen the valuable contribution they have made to systems to date. After all, it is they who represent people day and night—it is day and night—through supporting individuals with their bullying claims. When I was a trade union official, the biggest issue we dealt with was workplace bullying. It is vital, therefore, that we recognise the support trade unions provide—it is not just about the stereotypes and headlines.

Today, we mark a new beginning. I thank hon. Members for their contributions and trust we will move forward together.

Andrea Leadsom: With the leave of the House, I will make a couple of brief closing remarks. This has been an excellent debate and once again I pay tribute to colleagues from across the House for their efforts and contributions—it has been an extraordinary amount of work—and to the advisers, officials and the programme team who worked so hard. I also pay tribute once again to the victims who came forward with their testimonies and sparked this piece of work. On behalf of all the members of the steering group, I can say that we have been individually absolutely committed to achieving the change we are kicking off today. We can be incredibly proud of that.

We have, in particular, heard about the vital importance of the six-month review, and I draw all colleagues’ attention to page 34 of the report, which sets out some of the jobs that six-month review will have to do in addition to taking into careful account the work of Dame Laura Cox QC and the further historical allegation review that we are launching today.

I thank the right hon. Member for Rother Valley (Sir Kevin Barron) and his Committee for their work. It took me considerable time and effort, however, to persuade the Parliamentary Commissioner for Standards and the Standards Committee even of the need not to name people when opening investigations into all ICGP cases as well as non-ICGP cases. I have asked that we temporarily suspend naming people when opening investigations for the Parliamentary Commissioner for Standards and the Further Historical Allegation Scheme even of the need not to name people when opening investigations for the purpose of giving ourselves a clear run at this, even if we re-implement the PCS’s ability to name non-ICGP candidates after six months. I really urge Members not to accept the amendment. We need a clear run at this, so we need confidentiality and consistency.

Question put. That the amendment be made.

The House divided: Ayes 22, Noes 79.

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Tellers for the Ayes: Lyn Brown and Kate Green

Tellers for the Noes: Jo Churchill and Stuart Andrew

Question accordingly negatived.

Main Question put and agreed to. Resolved.

That this House approves the Second Report from the Committee on Standards, Independent Complaints and Grievance Policy: Implementation, HC1396, and the Independent Complaints and Grievance Scheme Delivery Report and its proposals for ensuring clear standards for all who work in or visit Parliament, and, in particular:

(1) endorses the Behaviour Code and the policies and procedures relating to bullying and harassment and sexual harassment associated with the Independent Complaints and Grievance Scheme set out in the Delivery Report;

(2) agrees the following amendments to The Code of Conduct:

(i) in Section IV (General Principles of Conduct), after paragraph 8 insert the following new paragraph:

“Parliamentary Behaviour Code

Members are also expected to observe the principles set out in the Parliamentary Behaviour Code of respect, professionalism, understanding others’ perspectives, courtesy, and acceptance of responsibility.”;

(ii) in Section V (Rules of Conduct), add the following new rule as Rule [17]:
“Respect
A Member must treat their staff and all those visiting or working for or with Parliament with dignity, courtesy and respect.”;
(3) agrees the following changes to Standing Orders:
A. Standing Order No. 149 (Committee on Standards)
(i) in paragraph (5), at end insert “save as specified in paragraph (5A) of this Order”;
(ii) after paragraph (5) insert new paragraph (5A) of this Order:
“(5A) It shall be an instruction to the Committee that before dividing on any motion, the Committee should hold an indicative vote of lay and elected members to ascertain the views on the motion of the Committee as a whole and of each member present; that such a vote should be conducted as if it were a formal division; that, as in a formal division, the Chair should not take part in the initial vote but should have a casting vote to determin a tie; that after holding such a vote the results should be recorded in the Committee’s formal minutes, without question put; and that after holding such a vote the Committee may or may not proceed to a formal division of elected Members.”;
B. Standing Order No. 150 (Parliamentary Commissioner for Standards)
(i) in paragraph (2), at end add the following new sub-paragraph:
“(f) to consider cases arising from the Independent Complaints and Grievance Scheme”;
(ii) in paragraph (4), at end add the following new sub-paragraph:
“(c) in any case arising from the Independent Complaints and Grievance Scheme where the Commissioner has proposed remedial action within any procedure approved by the Committee with which the Member concerned has compiled or, if the remedy is prospective, undertaken to comply”;
(4) recognises the role of the Parliamentary Commissioner for Standards to consider cases arising from the Independent Complaints and Grievance Scheme where the Commissioner has proposed remedial action within any procedure approved by the Committee with which the Member concerned has compiled or, if the remedy is prospective, undertaken to comply;”;
(5) recognises that Dame Laura Cox QC is conducting an independent inquiry into the allegations of bullying and harassment of House of Commons staff, whose Terms of Reference were published on 23 April 2018; notes that the inquiry relies upon past and present staff members coming forward with information in person or in writing; notes further that the inquiry, while not investigating any individual complaints or reopening past cases, will consider what options are available for resolving current or historical allegations and providing support to those affected; accordingly agrees that a further independent inquiry in similar terms be established, by the Clerk of the House in consultation with the relevant authorities in the House of Lords as appropriate, to consider allegations of bullying and harassment in respect of those individuals including MPs and their staff, where those allegations are not in scope of the Dame Laura Cox QC inquiry; and directs that the inquiry should report directly to the House in time for its findings to be taken into account in the 6 month review of the scheme established under paragraph (6) of this motion;
(6) endorses the proposal in the report that there should be reviews of the new arrangements at 6 months and 18 months, and invites the Leader of the House to propose the establishment of a review body, including staff representation, to the House of Commons Commission for their consideration and agreement, in consultation with the relevant authorities in the House of Lords as appropriate; those reviews should incorporate (a) the findings of the independent review set up under paragraph (5) of this motion and (b) the findings of the Dame Laura Cox QC inquiry which deals with matters relating to staff of the House;
(7) directs the Accounting Officer to meet those costs of the inquiry under paragraph (5) and the reviews under paragraph (6) falling to the House of Commons from the House of Commons (Administration) Vote.

Wes Streeting (Ilford North) (Lab): On a point of order, Madam Deputy Speaker. The ministerial code states:
“It is of paramount importance that Ministers should give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister”.
This morning at business questions, the Leader of the House again attributed the controversy surrounding the pairing arrangements this week to administrative error. However, according to multiple news sources this afternoon, it appears that the Government Chief Whip did instruct Conservative MPs to break their pairs, with one hon. Member quoted as saying—[Hon. Members: “Rubbish.”] Member of the Whips Office can shout “Rubbish” as much as they like, but they will hear what one of their own Members—[Interruption.]

Madam Deputy Speaker (Dame Rosie Winterton): Order. The point of order must be heard.

Wes Streeting: Thank you, Madam Deputy Speaker. They do not like to hear it, but here is what one Conservative Member is quoted as saying:
“Julian told me I was needed and told me to come in and vote. Of course he knew I was paired. I didn’t vote and honoured my pair, and he demanded to know why not afterwards. It then appears Julian told the prime minister it was all an innocent mistake”.
I have no reason not to believe that the Leader of the House is only relaying what she has been told to say. Given this, how can we compel the Chief Whip to come to the Dispatch Box to account for his actions, because if the trust of the pairing system has been abused in this way, he must surely now resign?

Christine Jardine (Edinburgh West) (LD): Further to that point of order, Madam Deputy Speaker. Like the hon. Member for Ilford North (Wes Streeting), we would also like to inquire whether there are ways of addressing this issue. If an urgent question is submitted on the matter, then, with the Speaker’s permission, if the question is accepted, can the Chief Whip come to the Chamber to respond rather than hiding behind the Leader of the House?

Madam Deputy Speaker: Both hon. Members have made their views very clear, but neither of them made a point of order on which I can rule. I am sure that what the Leader of the House said at business questions was said in good faith and based on information that she had received. If she was intentionally inaccurate in anything she said, I am quite sure that she would take steps to correct the record. I do not think that we should rush to any conclusions based on what has been reported in social media.

With regard to the Chief Whip, it is certainly a convention that the Chief Whip does not speak in the House. However, first, it is a matter for the Speaker...
whether to allow an urgent question, as hon. Members know. It is then for the Government to decide who should respond and in what way. I think we will leave it at that.

Tobacco Control Plan

3 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I beg to move,

That this House considered the Tobacco Control Plan.

Last year—how time flies!—in response to a question from my shadow on the Opposition Front Bench, the hon. Member for Washington and Sunderland West (Mrs Hodgson), I confirmed my intention to publish a tobacco control plan for England. I published it and then we debated its lofty ambitions in this House. Today, on its first birthday, I hope that we can reaffirm the importance of the plan and welcome the progress that has been made, while recognising—as I always do at the Dispatch Box—there is much more to do.

Last year we announced an ambition to reduce the prevalence of adult smokers from 15.5% to 12%, of pregnant smokers from 10.7% to 6%, and of 15-year-old smokers from 8% to 3%. We also pledged to reduce the inequality gap in smoking prevalence between those in routine and manual occupations and the general population. Furthermore, we set out a long-term goal of a smoke-free generation, reducing adult prevalence to below 5%. We were very clear, however, that now—then or now—is not the time for more legislation. I am still of that view because there is quite enough for us to do in this House.

The UK has some of the toughest tobacco control laws in the world, and we are consistently considered by independent experts to have the best tobacco control measures in the whole of Europe. The plan recognised that smoking in certain groups is stubbornly high, although masked by the overall declines in prevalence. To achieve our ambitions, we need to recognise that smoking is increasingly focused on particular groups in society, and in particular areas. We need to shift the emphasis from action at the national level—hence no need for more legislation—to focused local action in support of smokers.

Pregnant smokers are one critical group. People with mental illness are also much more likely to smoke: a little more than 40% of people with serious mental health conditions smoke, which is more than twice the national average. I repeat: smoking among those with mental health conditions is more than twice the national average. We need to work across the system, as we are, to ensure that everyone is making their full contribution to deliver for those groups.

Earlier this year I was fortunate enough to visit the Maudsley Hospital, which has done an awful lot of very good and fruitful work in this area. I place on record my thanks to the team at the Maudsley for their dedication and hard work. It was good to meet them—staff and patients—and to thank them in person.

When I talk about working across the system to ensure that everyone is making their full contribution, that is what we are doing. Last month we published the tobacco control delivery plan, which sets out detailed commitments made by various organisations in central Government and the arm’s length bodies to help deliver on our 66 recommendations. We will be tracking delivery of those commitments, and adding to them, as we move through the lifetime of the plan.
Let me touch on the work that is under way. The Prison Service is making the whole prison estate in England smoke free—no ifs, and definitely no butts. Do you see what I did there, Madam Deputy Speaker? This is a huge achievement, and I would like to pay tribute to the hard work that has made it possible. Her Majesty’s Revenue and Customs has supported the UK Government’s ratification of the protocol on illicit tobacco under the World Health Organisation’s framework convention on tobacco control. This new treaty aims to eliminate all forms of illicit trade in tobacco products throughout the supply chain. The protocol has now been ratified by the necessary 40 countries and is in force.

Sir Kevin Barron (Rother Valley) (Lab): When the Health Committee looked at the issue of smoking in public places and took evidence from different institutions, the Prison Service felt at the time that it would be impossible for it ever to get to a situation in which it was smoke free. We should all look back and thank it for what it has done, which it told us years ago was impossible.

Steve Brine: I agree with the right hon. Gentleman. Those of us who have secure estates in our constituencies and go in and visit them regularly will be aware of just how much of a challenge this is, given how ingrained smoking is within the cohort. That relates to the point I made about specific groups. I think that the Prison Service deserves great credit. Suffice it to say that it has a lot of pressures on it, and in some ways it probably felt that this was the least of its worries and the last thing it could deal with, but it is actually very important. That is why I say we are working well across the Government, and the Prison Service is really pulling out the stops in its area. I thank him for that intervention.

To finish on the protocol, HMRC will continue to lead on it on behalf of the Government, working with my officials at the Department of Health and Social Care. Through the protocol, we are sharing our expertise as a leading tobacco control nation; this is not just about what we are doing domestically. We are funding the FCTC secretariat with £15 million over the spending review period to support tobacco control in 15 low and middle-income countries. I am very proud of that work, and I am pleased to say that we are already having an impact. Georgia introduced smoke-free legislation and a ban on advertising on 1 May. It seems strange to talk about banning advertising as a new measure, given how long a ban has been in place in our country, but it shows that other parts of the world have a long way to go to catch up. I am very proud that we are using our experience and our evidence-based experience to help countries such as Georgia to do so. I want to place on the record my congratulations to Georgia.

Domestically, Her Majesty’s Treasury continues to maintain high duty rates for tobacco products to make tobacco less affordable, which is absolutely right. Public Health England, for which I am responsible, and NHS England are working on a joint action plan to reduce smoking in pregnancy. A key part of this is helping midwives to identify women who smoke and help them to quit and to support the implementation of National Institute for Health and Care Excellence guidance on reducing smoking during pregnancy and immediately following childbirth.

PHE has been encouraging the use of e-cigarettes to help people quit. As part of this, the most recent Stoptober campaign for the first time highlighted the role of e-cigarettes in quitting. The best evidence suggests that e-cigarettes are helping thousands of people to quit and that they are particularly effective in the context of a smoking cessation clinic. PHE’s data website, “Local tobacco control profiles for England”—another snappy title I dreamed up—is helping local commissioners and service planners to identify where they are succeeding, where they face the greatest challenges and how they compare with their neighbours and the rest of England.

Alex Cunningham (Stockton North) (Lab): I very much welcome the Minister’s comments in The Guardian newspaper this morning about the activities of one tobacco manufacturer that has been contacting or at least trying to ingratiate itself with NHS staff by helping them to quit smoking. Will he write to all trusts and clinical commissioning groups telling them that they should have nothing at all to do with this initiative?

Steve Brine: I already have and NHS England already has: we have already done so. We think that Philip Morris International’s move is totally inappropriate and totally contrary to the protocol. I do not think I could have been clearer either in the press or at the Dispatch Box today, and I thank the hon. Gentleman for giving me the chance to say so again.

All our local activity has the overall goal of helping people to quit smoking and stopping others starting in the first place, so how are we doing? Here is the scorecard. Publications by the Office for National Statistics and NHS Digital earlier this month show that we are making progress. Since 2011, the number of adult smokers has dropped by a fifth to the lowest level since records began, and we are fully on track to achieve our 2022 ambition for adults. Among 15-year-old smokers, there is good progress, and figures published last year showed that the prevalence of smoking has reduced by a further percentage point from 8% to 7% since the publication of the plan. The number of e-cigarette users in that group is also falling. Latest figures from the ONS annual population survey reveal that smoking rates among 18 to 25-year-olds are falling faster than in any other age group. Considering that that age is when most smokers start smoking, I am particularly pleased with that.

We are also making progress on inequality. Although routine and manual workers continue to have higher smoking rates compared with the rest of the population, the gap has narrowed slightly, from 26.5% at the publication of the plan to 25.7% as reported by the ONS earlier this month. Those are achievements to celebrate. Nevertheless, I must be honest with the House and say that progress on tackling smoking in pregnancy is disappointing, and in truth the figures have barely moved in the past year.

What shall we do in year 2 of the plan? First and foremost, I am determined to redouble our efforts to support pregnant smokers to quit. That will be best for them and for their babies, and we need people to understand that. Secondly, we will use the opportunity of the Government’s investment in the NHS, which the Prime Minister announced last month, to embed prevention and cessation more firmly into the culture of the NHS. Last month, the Royal College of Physicians, which has
a proud record of groundbreaking reports on tobacco, published “Hiding in Plain Sight: Treating tobacco dependence in the NHS”. That weighty report calculated that the cost of current smokers needing in-patient care is £890 million a year. It points out that smokers are 36% more likely to be admitted to hospital at some point than non-smokers, and it makes the powerful argument that smoking cessation repays the cost from year 1. I welcome that report, and I will be making that case loud and clear as we engage with NHS England on the content of the 10-year plan that the Prime Minister has asked it to produce.

Thirdly, we will continue to engage with local authorities—they are now top-tier public health authorities up and down the land in England—on promoting smoking cessation as the best evidence-based means of quitting smoking. Encouraging the NHS to do more on cessation is emphatically not about removing responsibilities from local authorities. This is about creating a whole-system approach in which addicted smokers can access the support they need to quit. Public Health England will continue to provide local councils up and down the land with facts and advice on tackling smoking—for example, it will work with sustainability and transformation partnerships, which should be leading that whole-system approach in the constituencies of all English Members.

Fourthly, as I have mentioned, we will continue to raise tobacco duty to make tobacco less affordable, while also taking action to tackle the illicit trade in tobacco. Fifthly, we will maintain a careful watch on so-called novel tobacco products. The Government are keen to use the opportunity of newer products, such as e-cigarettes, to help smokers to quit, without undermining the key message that the best thing someone can do for their health is quit completely. As I said in the Science and Technology Committee’s inquiry into this subject, we will continue to keep the harms of products such as heated tobacco products under review and continue to hold the industry to account. We have been explicit that the promotion of tobacco products is unlawful, as my recent letter to Philip Morris International makes abundantly clear—that letter was written before the one I mentioned in response to the hon. Member for Stockton North (Alex Cunningham).

Last but not least, we will continue to make the case for tobacco control internationally, building on our reputation as a leading tobacco control nation with credibility in that space. We have such credibility because our consistent work in this area goes back to the coalition Government, the previous Labour Government and the Conservative Government before them, and such consistency means that we are highly credible around the world. More than 7 million people a year across the globe die from smoking-related disease, and the UK Government can help make a dent in that toll by sharing knowledge and skills.

Steve Brine: I think cigarettes cause the most damage, because of the tobacco and the nicotine. The carcinogenic properties of the former are lethal. That link was proven with the lung cancer study that started the ball rolling. I pay tribute to my hon. Friend as the chair of the all-party group for the work he has done in this area. There are a lot of things that we know and there are a lot of things that we still do not know. Some people say that I do not go far enough to promote e-cigarettes and novel products, and some people say that maybe we go too far—I mentioned Stoptober. That generally suggests to me that we are in the right place. What I would say—I think that I said it earlier—is that an awful lot of research is still needed on e-cigarettes. One Member once told me that we should make e-cigarettes free on prescription to all pregnant women. I still think that there are risks to that product. I still think that the best thing people can do is to stop chuffing on anything, whether traditional cigarettes or so-called novel products. I thank him for his intervention, and I look forward to hearing what he has to say during the debate.

Alex Cunningham: I thank the Minister for giving way a second time. I join the tributes to both the Minister and the chair of the all-party group. There has been tremendous cross-party work on this issue—that has always been the case. The Minister mentions the role local authorities have to play. We all know the pressure they have been under in recent times. I wonder whether he could see a mechanism that would provide and ring-fence the funds to enable local authorities to fulfil their role. Currently, they are struggling to do so.

Steve Brine: I thank the hon. Gentleman for that intervention. On providing support to help smokers quit, as I said, we have moved from the national context of legislative work to local application. The challenge is that adult smoking rates vary considerably across the country—for example, they are 8% in Wokingham and 23% in Kingston upon Hull—so it is right that local councils have the flexibility to spend that money. There is some £16 billion in the ring-fenced public health grant during the spending review period, so there is a lot of money in the system. But am I happy with patchy services in areas where smoking rates are too high? No, I am not. That is why I have said that the Government have not made a decision on full business rate retention. I would be concerned about the impact that that might have. I would want all sorts of reassurances from local councils if I were to make that change. Do I think it right that local authorities can design services for their local area? Yes, I do.

The new Secretary of State and I have already discussed prevention, which is one of the three main pillars he wants to focus on. I have told him that the new investment of £20 billion that we are putting into the NHS is fantastic. Bluntly, we could have the money on the side of the bus three or four times over, but unless we get serious about prevention, in this space as much as any other, the NHS will continue to be under enormous pressure. Local authorities are a key partner for us.
I would also say, not least because the chair of the all-party group on community pharmacy is sitting behind the hon. Gentleman, that community pharmacists and pharmacies have a key role to play. They are an NHS centre on street corners up and down our land. Some of them provide really good work. The healthy living pharmacies I have seen help people to access the services they need. They provide a little bit of mentoring and support, using their experience to say, “Yes, you can beat this,” and signposting them to services, whether through the public sector or the third sector.

There is an awful lot that we can still do. That is why the 10-year plan will have prevention embedded at its heart, as the five year forward view said it would—and it did, but I do not think that it lived up enough to the ambition on that. Perhaps people would expect the Minister responsible for prevention to say that, but I am nothing if not consistent.

Tobacco remains the single biggest avoidable killer in our country today, causing a third of preventable cancers. It contributes to around half of health inequalities between rich and poor in our society and is a potent symbol of the burning injustices that the Prime Minister spoke about, which I think affect the life chances of poorer people up and down our land. The tobacco control plan represents the Government’s continuing commitment to tackling this epidemic. It was never presented as a panacea and it is still not a panacea, but it is a cracking good start.

Over the past year, we have seen some impressive progress, but I am absolutely not complacent. In World cup terms, I would suggest that we have made it through to the knockout stages, but nothing more. I hope to be able to demonstrate further progress in a year’s time, but no doubt we will discuss that again in the House. I am able to demonstrate further progress in a year’s time, but I am absolutely not complacent. In World cup terms, I would suggest that we have made it through to the knockout stages, but nothing more. I hope to be able to demonstrate further progress in a year’s time, but I am absolutely not complacent. In World cup terms, I would suggest that we have made it through to the knockout stages, but nothing more. I hope to be able to demonstrate further progress in a year’s time, but I am absolutely not complacent.

Tackling this issue will be the first step to achieving a generation that is not only smoke-free, but healthier.

Smoking remains the leading cause of preventable premature death, such as from cancer or lung disease, and accounts for around 100,000 deaths each year in the UK. Each of those deaths could have been prevented. Between 2013 and 2016, the rate of decline in smoking among young people slowed down and the proportion of 15-year-old regular smokers had fallen from 8% to 7% but, at this rate, we will fail to achieve the ambition for England of 3% by 2022. The Minister mentioned in his opening remarks that we really will need to accelerate our progress when it comes to the number of children taking up smoking. Tackling this issue will be the first step to achieving a generation that is not only smoke-free, but healthier.

The National Institute for Health and Care Excellence estimates that every £1 invested in smoking cessation generates £2.37 in benefits. However, according to the King’s Fund, spending on smoking cessation services in 2017-18 was reduced by almost £16 million compared with figures for 2013-14. Furthermore, the Health Foundation has found that next year just £95 million will be spent on smoking and tobacco control services, which is 45% less than in 2014-15. Has the Minister made any assessment of the impact that those cuts will have on local smoking cessation services?

A study conducted by Action on Smoking and Health—ASH—and Cancer Research UK found that in 2017 budgets for stop smoking services were reduced in half of the local authorities in England, following reductions in 59% of authorities in 2016 and 39% in 2015. It is a wonder that there are any smoking cessation services left at all. What that means on the ground is that smokers who want to quit do not have access to the services that they need, and smokers who may need an extra push to seek help are not getting that push.

Given that local smoking cessation services are on their knees, how does the Minister’s Department expect to reach the goal of reducing smoking rates to 12% by 2022? The Government’s own plan acknowledges that “local stop smoking services continue to offer smokers the best chance of quitting”, but cuts in local authorities’ funding have led to unacceptable variations in the quality and quantity of services available to the public. In my region of the north-east, the current smoking rate is 16.2%, which is down from 17.2% in 2016. That represents the biggest fall in smoking in England. It means that smoking rates in the north-east have fallen by more than 44% since 2005, when 29% of adults in the region smoked, and that there are about a quarter of a million fewer smokers.

The Opposition welcomed the plan and its ambitious goals, but we remain concerned about how they will be achieved by 2022. It is true that smoking is now thankfully at an all-time low, but the Government must not be complacent—I know that the Minister is not—and must not quit when it comes to measures that reduce smoking rates.

There are still 7.3 million adult smokers in the UK but, shockingly, smoking is an addiction of childhood, with the vast majority of smokers starting to smoke before the age of 18. Between 2014 and 2016, more than 127,000 children aged between just 11 and 15 started to smoke in the UK. According to a recent study by the Society for Research on Nicotine & Tobacco, this amounts to 350 young people starting smoking each day. That is equivalent to 17 classrooms of secondary school children starting to smoke every day. The Government therefore have a huge challenge on their hands—as we all do in Parliament—to tackle smoking in childhood and to reduce the rate of children smoking to 3% or less.
It has to be said that that decline in smoking rates is due to the excellent programme Fresh north-east. I know that the Minister has commended the programme before, and no doubt he will take the opportunity to do so again. Its vision is to make smoking history and to reduce smoking prevalence in the north-east to 5% by 2025.

Steve Brine: I am happy to place on record my thanks for the work of Fresh north-east, whose representatives I have met. It is a good example of what I was talking about—local systems working together. It is not just about what local authorities commission and the state provides. Fresh north-east is a coalition consisting of the public sector and the third sector.

Mrs Hodgson: That is important, especially when, as the Minister has acknowledged, we are in such straitened times when it comes to local authority budgets. I am sure that Fresh north-east will be very grateful for what he has said.

Sadly, other areas are not as lucky. They do not have a Fresh north-east; if only they did. Stop smoking services are roughly 300% more effective than quitting by going cold turkey, but in some places the specialist services are being decommissioned altogether. For example, in Blackpool, smoking prevalence is 22.5%, while the average for England is 15.5%, yet Blackpool Council recently decommissioned its specialist smoking cessation service, citing a number of factors including public sector budget cuts.

That example leads me to my next point. Between 2012 and 2014, the healthy life expectancy for newborn baby boys in England was the lowest in Blackpool at 55 years. Again, the shortest life expectancy among men was in Blackpool too, at 74.7 years. Interestingly, in 2014, Blackpool had the highest smoking prevalence at 26.9%. Wokingham had the lowest smoking prevalence at 9.8%, but the highest healthy life expectancy of 70.5 years. That is a 15.5 year difference between healthy life expectancies, and while there will be several factors in play in these figures, it is clear that smoking is one of the largest causes of health inequalities in England.

Some 26% of routine and manual workers now smoke, compared with 10% of those in managerial and professional jobs. This has slightly increased rather than decreased the inequality from 2016. Some 28% of adults with no formal qualifications are current smokers compared with only 8% of those with a degree. It is these people—manual workers or those from low socioeconomic backgrounds—who suffer the most when the Government cut spending to public health services. I therefore ask the Minister what steps his Department is taking to ensure that these people are reached by local smoking cessation services. What assessment has the Minister made of the impact that smoking rates have on widening health inequalities, and how does he intend to address them?

Finally, I move on to smoking in pregnancy. The Government’s ambition to reduce smoking in pregnancy to 6% or less by 2022 is laudable. In 2015-16 the rate was 10.6%. However, new data published recently showed that the rate of smoking during pregnancy in 2017-18 had increased slightly, to 10.8%. It is therefore deeply concerning that the smoking in pregnancy challenge group, which I recently met, has warned that this ambition is unlikely to be met unless urgent action is taken.

In 2010, 19,000 babies were born with a low birth weight because their mothers had smoked during pregnancy. Up to 5,000 miscarriages, 300 perinatal deaths and around 2,200 premature births each year have been attributed to smoking during pregnancy. In addition, many other children will be three times more likely to take up smoking in later life because they live in smoking households. If we are going to have a smoke-free generation in the future, the Government must take urgent action to ensure that rates of smoking in pregnancy fall. We must not forget that it will be those very babies who will become the smoke-free generation that we all hope to see.

The current target is to reduce smoking in pregnancy to 6% or less by 2022. If that is achieved, it could mean around 30,000 fewer women smoking during pregnancy, leading to between 45 and 73 fewer stillborn babies, 11 to 25 fewer neonatal deaths, seven to 11 fewer sudden infant deaths, 482 to 796 fewer pre-term babies, and 1,455 to 2,407 fewer babies born at a low birth weight. That is something to aim for, but it will only happen if the Government take urgent steps to reduce the number of women smoking during pregnancy.

Bob Blackman: On behalf of the all-party group on smoking and health, I thank the hon. Lady for speaking at the launch of our recent report. Does she agree that we must encourage not only pregnant women to give up, but their partners, too, so that pregnant women no longer have to face the challenge of not only being deprived of smoking, but of seeing their partner smoke in front of them? This should be a partnership for both parties.

Mrs Hodgson: That is a very pertinent point. We all know the damage of passive smoking. It is all well and good if the mother gives up smoking—that will definitely help her and the baby during pregnancy—but if smoking is still going on in the household, the children will still be growing up in an environment of passive smoking. I thank the hon. Gentleman for making that important point and for his excellent work as chair of the all-party group.

I welcomed what the Minister said about tackling smoking in pregnancy, but will he also tell us how he will target work to encourage younger women and women from more disadvantaged backgrounds to give up smoking during pregnancy? Teenage mothers are nearly four times as likely to smoke before or during pregnancy than those aged 35 and over. Young mothers are less likely to quit before or during pregnancy, and only 38% of mothers under the age of 20 did so, compared with 58% of mothers aged 35 or above. It is clear that the Government need to tackle smoking in pregnancy, and smoking in childhood, as a matter of urgency to achieve their ambition of a smoke-free generation.

The Minister and his Department have a huge challenge on their hands if they are to meet the ambitious targets set out in the tobacco control plan. I still welcome the plan as the right thing to do, as I am sure the Minister does. Anything that is worth doing is going to be hard. We have four years to go before the target date, and the
Minister must now look at how the Government can properly fund smoking cessation services to drive down smoking rates and support those who need extra help to stop smoking. I look forward to the remainder of the debate and the Minister’s closing remarks.

3.36 pm

Bob Blackman (Harrow East) (Con): It is a pleasure to follow the hon. Member for Washington and Sunderland West (Mrs Hodgson), who has done excellent work already in her shadowing role. I know that she was also at the forefront of this debate before shadowing these matters. Equally, I pay tribute once again to the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine), who set a precedent for future public health Ministers when, at his first outing at the Dispatch Box, he agreed to publish the long- awaited tobacco control plan. We should remember that it had been delayed for a year before it was published last year at the behest of my hon. Friend, probably much to the consternation of his officials.

I also want to pay tribute to the Minister’s predecessors, particularly the former Member for Battersea, Jane Ellison, who did a brilliant job of advancing many of the controls on tobacco that we now have in such a way as to ensure that they were delivered. I remember taking on the first debate on this subject in Westminster Hall, at which many of my colleagues were present. I think it was in September 2013, and it was the first debate after we came back from the summer recess. It took place at 9.30 in the morning, and I feared that I would have an hour and a half to fill by explaining why we should have standardised packaging for tobacco products. I have to say that both major parties were opposed to that idea at the time, but we were able to convince them otherwise and we changed the policy. That measure has now been enacted, which demonstrates the power that we on the Back Benches can have to change policy in a good way.

I must gently chide the Government, however, for taking over our Back-Bench debate. This means that we cannot pass the resolution that we wanted to pass today to encourage the Government not only to adopt smoking cessation policies but to resource them properly, to engage with local authorities over tobacco control issues and the cost to public services is estimated to be £37.9 million a year in just one London borough, out of 32, that has about 250,000 adults. It is clear that we need further action.

The good news is that the UK is one of the leading countries in the implementation of tobacco control policies. We are recognised as a leader in the implementation of the World Health Organisation’s framework convention on tobacco control, and I want to remind the House of article 5.3, which states:

“In setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law.”

The guidelines on implementing article 5.3 have been agreed by the UK and advise Governments not to enter into any partnerships, whether they be non-binding or non-enforceable, or agreements with the tobacco industry, not to accept voluntary contributions from the tobacco industry, not to accept tobacco-industry-drafted legislation or policy or voluntary codes for legally enforceable measures, not to participate in corporate social responsibility or related schemes funded by the tobacco industry, and not to permit tobacco industry representation on Government tobacco control bodies.

Former MP Paul Burstow, my predecessor as chair of the all-party parliamentary group on smoking and health, is now the chair of the Tavistock and Portman NHS Foundation Trust and co-chair of the Mental Health and Smoking Partnership. He wrote to the Minister about the letter sent by Philip Morris International, and I am pleased that the Minister has taken up the issue straight away. The company, which manufactures Marlboro cigarettes, wrote to say that it is “keen to work with NHS Trusts and Foundations to see if we can support the NHS in helping its employees to stop smoking”.

I do not usually promote this publication, but an article in The Guardian today quotes me, Paul Burstow and the Minister making it clear that we do not want any interference from Philip Morris and that that company should not avoid its responsibilities under the code. I am delighted that the Minister has completely rejected the position of Philip Morris, which also states that it has “written to the heads of all the NHS Foundations and Trusts in England, all Clinical Commissioning Groups, Simon Stevens, and the Secretary of State for Health and Social Care” about the issue.

Most local authorities in England have signed up to the local government declaration on tobacco control, which is a public statement of the councils’ commitment to reduce the harm caused by tobacco. The declaration commits signatories to “protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships” and so on. However, local government officers have reported continuing efforts by the tobacco industry to engage with local authorities over tobacco control issues...
including, but not limited to, the illicit trade. We must be clear that the industry’s involvement is not required and not welcome.

I am delighted that, on 1 November 2017, the Minister made a clear statement in this House on the Government’s position, and I am delighted that will continue. I welcome his comments, both in his opening speech and in his letter. What else can he do to make sure that local authorities, the NHS and any other interested parties do not get sucked into this offer from Philip Morris?

On the risks we run, as the hon. Member for Washington and Sunderland West said, one of the problems is that the plan and the targets might not be met. We have to encourage everyone to get to that point. The reality is that smoking rates among young people have started to level out. There is a risk that we will not hit those targets. The target to get smoking rates down to 5% or less by 2022 is good, but I would like to see it at 0%—no one smoking. We could then say that we have achieved what we wished to achieve.

We clearly have to encourage young people not to start smoking. As has been said, more than 350 young people a day take up smoking, and 60% of them go on to smoke for the rest of their life. The huge risk is that those people will fuel the tobacco industry for the future.

There is therefore a case for further control measures, including increased funding for the initiatives, and new legislation. Although it is not appropriate to allow the tobacco manufacturers to make voluntary contributions, if they are offering to give money to the NHS and to local authorities as part of so-called corporate social responsibility, the industry clearly has money to pay for the measures we need to control tobacco and to mitigate the harm it causes, so let us make the tobacco manufacturers pay.

At a time when public sector budgets are under pressure both at national and local level, the tobacco manufacturers, if they have money, should pay an increasing share of the cost of control, as an application of the “polluter pays” principle. That is the clear recommendation of the all-party parliamentary group, and I trust my hon. Friend the Minister will therefore advance that recommendation to the Chancellor.

Steve Brine: Consider it advanced. Time will be limited for the wind-ups, so I will address the point about young people. Earlier this week, I held a roundtable in the Department of Health with a number of charities working on drug policy and with reformed drug takers. One gentleman said to me, “The trouble was that I really enjoyed taking drugs. What I didn’t enjoy was the outcome of taking drugs.”

I have heard young people say that they really enjoy smoking but that they do not enjoy the outcome. We should welcome today’s statement by the Secretary of State for Education on the new work that will be done in schools on health and relationships education. Specifically, health education can help young people to understand the health consequences of smoking, even if they might enjoy the process of smoking.

Bob Blackman: I thank my hon. Friend for his intervention, and I completely agree that health education is an appropriate way to consider the issue.

There is a model in the United States that we could introduce. The Family Smoking Prevention and Tobacco Control Act of 2009 gives the US Food and Drug Administration the power to regulate the tobacco industry, funded through what is called a user fee on manufacturers. The total amount to be raised is set out in legislation and apportioned to manufacturers on the basis of their share of the US tobacco product market. I ask the Minister to look at that US legislation as a way of introducing such a model.

The major recurring costs of tobacco control, and they are important, are mass media campaigns to discourage uptake and to encourage quitting. An approach such as the one in the US would: raise hundreds of millions of pounds a year from the tobacco industry; help to protect the business of legitimate retailers who obey the tobacco control legislation; help to protect Government tax revenues—at the moment, the excise tax raised £9.9 billion in 2016-17, but the loss on illicit tobacco was estimated to be £2.4 billion; pay for the mass media campaigns to discourage smoking, which we desperately need; and provide a source of revenue to local authorities, which could help to fund local tobacco control measures, including enforcement activity and the provision of support to smokers seeking to quit. Funding for trading standards has fallen substantially in recent years, from £213 million in 2010 to only £124 million in 2016, and the National Audit Office estimates that the number of full-time staff has reduced by 56% in seven years. So there are fewer people to enforce the rules that we want to see enforced. Such an approach could also support regional partnerships working to tackle illicit tobacco.

The success of that has been shown in the north-east and north-west, which have concerted multi-agency enforcement activity and effective, evidence-based measures to reduce demand. So it is clear that we can deliver on this.

Polling conducted for ASH—Action on Smoking and Health—asked respondents how strongly they would support measures requiring tobacco manufacturers to pay a levy or licence fee to help encourage people to cut and prevent young people from starting to smoke. The net support for that was 71%, with only 9% opposing. So the Minister should impress on the Chancellor the need for this and the benefit of doing it.

One key issue that I wish to emphasise above all else is the need for mass media campaigns to shock people into realising how desperate smoking is and how damaging it is to health. There is nothing like seeing those sorts of mass campaigns for encouraging people to realise that they are responsible for their health. The analysis of these campaigns has shown that they are very effective but that they have declined in recent years. Public spending on such campaigns in the UK peaked in 2008-09 at £23.38 million, but now that has fallen dramatically, to only £1.5 million in 2016-17. Clearly, we need to encourage local authorities and the Department of Health and Social Care to use the opportunity to shock people so that they understand the damage they are doing. I therefore ask the Minister to look at mass media campaigns and ensure that they are used as part of the strategy.

Finally, let me say that my area now has a large number of people from the European Union who have chosen to come here to live in this country. If we go to many eastern European countries, we see people smoking
everywhere; these places do not have the tobacco control that we have in this country. Those people need to be reached to encourage them to give up smoking and ensure they look after their own health. It is those people we have to reach out to fully. I look forward to other contributions from right hon. and hon. Members, and I am sure that the Minister will reply in suitable fashion.

3.53 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to take part in today’s debate, and I welcome the one-year anniversary of the tobacco control policy for England. A great deal of progress has been made in reducing smoking prevalence across the UK. As has been pointed out, whereas in 1974 more than half of adult males and more than two in five women smoked, the latest figures from NHS Digital suggest that smoking rates in the UK are now 15.1%. So I say congratulations on that achievement.

The figures on smoking prevalence in Scotland, where I come from, vary as between sources, but the Office for National Statistics has suggested a prevalence rate of 16.3% in 2017. Since 2010, Scotland has seen the largest decline in the proportion of smokers of the four UK jurisdictions, with a reduction of more than eight percentage points. That said, there are still about 10,000 smoking-related deaths per year and 128,000 smoking-related hospital admissions in Scotland.

The Scottish Government published their new five-year tobacco control plan in June. It goes a little further than the tobacco control plan for England, in that it not only puts forward a vision of a smoke-free generation but sets a date, 2034, by which we wish to achieve that vision. If Scotland is to achieve its vision, it requires action by the Westminster Government on issues that are not devolved, such as tax, illicit trade and smoking in the entertainment media. Page 14 of the tobacco control plan for Scotland commits the Scottish Government to “continue to work with the UK Government to address the representation of tobacco use in the media.”

That is not something that the Scottish Government can do on their own.

A clear causal link has been established between exposure to smoking on screen in the entertainment media and smoking initiation in young people. The greater the exposure, the greater the risk of smoking uptake; yet smoking remains common in entertainment media viewed on screen by young people, including prime-time TV, videos, and films. A recent survey for ASH found that in all media for which questions were asked—TV, films, music videos, computer games and online—the 11 to 18-year-olds who had tried smoking were significantly more likely than those who had never smoked to report exposure to smoking imagery. The highest level of young people’s exposure to smoking imagery was in films, with 81% of 11 to 15-year-olds and 88% of 16 to 18-year-olds reporting seeing smoking. An analysis of UK TV programmes broadcast between 6 and 10 pm in 2015 found that 12% of all programmes featured tobacco use, which was the same proportion as in 2010. In both 2010 and 2015 the frequency before and after the 9 o’clock watershed was roughly the same. Only a very small minority of the content could be justifiable on historical accuracy or other grounds.

The relevant regulators are Ofcom and the British Board of Film Classification. Ofcom, which has a statutory responsibility to protect the under-18s, has much more stringent rules than the BBFC. However, both regulators appear to be more concerned about how smoking is depicted than the overall amount of the exposure taking place. Will the Minister endorse the following recommendations and ask his colleagues in the Department for Digital, Culture, Media and Sport to work with the Department of Health and Social Care to put them into effect through revised Ofcom and BBFC codes? First, Ofcom and the BBFC should monitor youth exposure to depictions of tobacco use on screen on the channels that they regulate and publish the data in their annual reviews; secondly, Ofcom and the BBFC should revise their guidelines with respect to smoking on screen in entertainment media viewed by under-18s, to discourage any depictions of tobacco use and require action to mitigate any remaining exposure; and thirdly, if smoking features in any programme or film likely to be widely seen, heard or accessed by under-18s, an anti-smoking advertisement must be displayed at the beginning and in any advertising breaks.

When I spoke in the debate on the tobacco control plan in October last year, I focused heavily on the illicit trade, which the Minister will remember, and encouraged him to ensure that the UK ratified the illicit trade protocol in time for the meeting in October this year, so I am absolutely delighted that the UK did indeed ratify it. In fact, we were the 40th country to do so and thereby triggered the entering into force of the treaty. I congratulate the Government on that.

However, the UK Government still need to do more to tackle the illicit trade. In 2016-17, the size of the illicit market for cigarettes had remained roughly stable since around 2010, although as smoking prevalence has declined significantly, it has made up a higher proportion of the total market. Because taxes have increased over the years, the total tax revenue lost as a result of illicit trade has grown from £1.9 billion in 2010 to roughly £2.5 billion today.

Articles 15 and 16 of the tobacco products directive 2014/40/EU provide for EU-wide systems of traceability and security features for tobacco products, to address the issue of illicit trade. There are a lot of good suggestions and lots of good work in that directive. Under the traceability system, all unit packets of tobacco products are required to be marked with a unique identifier, and relevant economic operators involved in the tobacco trade are required to record the movements of tobacco products throughout the supply chain and transmit the related information to an independent provider, with data storage contracts to be approved by the Commission. The data will then be made accessible for enforcement purposes to the authorities of EU countries and to the Commission. Under the security features system, all unit packets of tobacco products placed on the EU market will be required to carry a tamper-proof security feature, composed of visible and invisible elements, enabling authorities and consumers to verify their authenticity. It is therefore, in my opinion, essential to the control of the illicit tobacco trade that the UK should continue to participate in the EU tracking and tracing system after Brexit and that any such system implemented in the UK is independent of tobacco manufacturers as required by the illicit trade protocol.
A study for the tobacco control research group at the University of Bath, published just last month, exposes evidence that the big tobacco companies are still facilitating tobacco smuggling. The protocol explicitly requires Governments to take responsibility for control measures, rather than relying on industry self-regulation, which has failed so miserably to date. The industry must not be allowed to control the traceability system, either directly or indirectly through proxies.

In conclusion, will the Minister commit to the UK remaining in the EU tracking and traceability system for tobacco products after Brexit? Will he report on the UK’s progress in implementing the requirements of the EU tracking and traceability system, and will he confirm that the system of tracking and tracing of tobacco products, which will be adopted by the UK, will comply with the independence requirements set out in the WHO illicit trade protocol?

4 pm

Alex Cunningham (Stockton North) (Lab): I appreciate being called at this stage of the debate. I declare my role as a vice-chair of the all-party group on smoking and health. This was going to be a Backbench Business debate on a motion that I put forward to consider further action necessary to deliver the vision set out in the tobacco control plan for England 2017 of a smoke-free generation by 2022.

I am grateful to colleagues across the party groups for working with me to secure the original debate. I am also grateful to ASH and other organisations for assisting with my preparation today. I will read the original Backbench Business motion into the record so that the Minister can take it on board. It reads:

“That this House welcomes the Government’s Tobacco Control Plan published in July 2017; notes its ambition to create a smokefree generation and to reduce the prevalence of 15 year olds who regularly smoke from 8% to 3% or less; notes the slowing rate of decline in youth smoking prevalence and risk to progress; and recognises the need to continue to put pressure on the tobacco companies to make reductions to the price of cigarettes, which are responsible for seizures of illicit tobacco and enforcement activity.

I very much welcome what the Minister had to say today and the 66 recommendations that are coming forward to move things along. I want to summarise the key points that I had originally hoped to make in much more detail.

This is an important issue for me in relation to my home area, the borough of Stockton-on-Tees. The smoking rate has come down considerably: 15% of the adult population in Stockton are currently smokers. Some 31% of the households that have a smoker are below the poverty line. If they quit, 1,991 households would be lifted out of poverty, and residents of those households include 1,342 dependent children. Smoking costs Stockton-on-Tees approximately £37.4 million, it costs the NHS £8.5 million, and £24.1 million in lost productivity. Some 15.3% of pregnant women in our area smoked at the time of their baby’s delivery.

Furthermore, the analysis of the most recent youth smoking data by Cancer Research UK finds that more than 350 young people started smoking every day. That is the equivalent of 17 secondary school classrooms. At the current rate of decline in smoking cessation, we will fail to achieve the ambition for England that, by 2022, 3% or less of 15 year olds are regular smokers.

Health inequalities are growing: one in four people in routine and manual occupation smokes compared with one in 10 in professional and managerial occupations, and that gap is widening. The key points of the Backbench Business proposal were the need to do more to reduce smoking initiation in young people and to encourage quitting among adults. We must reduce young people’s exposure to smoking in film, television and other media. That issue was raised by the hon. Member for Linlithgow and East Falkirk (Martyn Day) a few minutes ago.

There is substantial peer-reviewed evidence that shows a causal link between exposure to smoking in the media and starting to smoke and that young people are being exposed to smoking on screen in the UK. Government have a role to play in encouraging media regulators to take smoking seriously and to act in this area. The Government need to urge Ofcom and the BBFC to revise their guidelines with respect to smoking on screen in entertainment media viewed by under-18s to discourage any depictions of tobacco use and to require action to mitigate any remaining exposure. We can make it more difficult for young people to obtain cigarettes by increasing the age of sale to 21, introducing retail licensing for the sale of tobacco and properly funding regional activity to support enforcement.

In the UK in 2014, 77% of smokers aged 16 to 24 began smoking before the age of 18. Evidence from the US shows that raising the legal purchase age to 21 reduces the number of young people who start smoking, reduces smoking-caused deaths and immediately improves the health of young people. More than one third of under-age smokers buy their cigarettes from shops without a licence, which can be revoked if they continue selling—so tobacco retailers can continue to sell tobacco to minors or to sell illicit tobacco. A retail licensing scheme covering all levels of the supply chain from manufacturer to retailer would also help to protect the business of legitimate retailers who obey tobacco control legislation.

As others have said, Government need to do much more to support and enhance enforcement where there is illegal activity, but funding cuts have led to significant reductions in the capacity of trading standards departments, which are responsible for seizures of illicit tobacco and prosecutions for tobacco fraud. From personal experience, I know that the capacity simply does not exist. Time and again, I have alerted Her Majesty’s Revenue and Customs to tab houses selling tobacco illegally in Stockton, but those very same tab houses continue to sell. HMRC is the beneficiary of enforcement activity, as it protects tax revenues, so surely it should be required to fund the activity, which could be organised at the regional level, which is the most cost-effective way of doing it.

One of my principal concerns is the much higher incidence of smoking in disadvantaged communities and how we de-normalise it and tackle health inequalities by funding mass media campaigns, which the hon. Member for Harrow East (Bob Blackman) talked about in detail. Some 83% of children who smoke regularly have family members who smoke, and this is magnified in disadvantaged communities, such as the town centre ward in Stockton. Public spending on these campaigns, however, has fallen from a peak of £23.38 million in 2008-09 to only £2 million last year. We need to reverse those cuts, as such campaigns are highly effective and can be targeted at poorer and more disadvantaged groups, which have the highest rates of smoking.
The “polluter pays” levy on tobacco manufacturers, which the all-party group on smoking and health supports, could help to fund mass media campaigns as well as other important tobacco control measures. It is time to consider the greater role for social media to amplify the impact of mass media campaigns. There is now the capability to target individual postcode districts with specific messages using, among other things, the promote tool on Facebook. We could help the 60% of smokers who say they want to quit smoking by funding stop smoking treatment and including inserts in tobacco packets encouraging quit attempts.

In 2017, the budget for stop smoking services was cut in half by local authorities in England. The NHS and local authorities need to collaborate more effectively to ensure that smokers, particularly vulnerable groups who tend to be more addicted and have greater difficulty quitting, have access to the help they need. I think the Minister alluded to that in detail—if one can allude to anything in detail—in his speech. Simon Stevens told the Health Select Committee a couple of weeks ago that local authority stop smoking services were not sufficient and that NHS England needed to do more to treat vulnerable groups of smokers under its care. He said:

“...It is pretty clear that we will have to keep pushing harder on smoking, and smoking cessation is part of that. That cannot all be done through local authority commissioned services; we are going to have to look at whether the NHS can embed smoking cessation in more of the routine contacts that we have with vulnerable groups who are still smoking. ASH and the Royal College of Physicians have put out an important set of proposals in the last 10 days, which we will take a very careful look at.”

I very much welcome that, and I hope the Minister does too.

On the subject of pack inserts, research from Stirling University has shown that smokers of a variety of ages, gender and social grade support their use as an aid to encourage them to quit. The Minister said earlier that we did not need more legislation. Well, perhaps we do. We need legislation mandating pack inserts, which would provide an inexpensive and highly targeted means of supplementing on-pack warnings.

People with mental health conditions are being left behind in all this. Approximately 40% of people with a mental health condition smoke. Smoking is the main reason that people with mental health conditions die 10 to 20 years earlier on average than the general population. They tend to smoke more heavily, be more heavily addicted and find it harder to quit. It is not that they do not want to quit, but that they need more help to succeed. The Minister mentioned this in his opening remarks, but I hope that he will say a little more when he winds up the debate. I can help a wee bit—at least the Minister knows all this.

Smoking exacerabes as well as causes disease, and helping smokers to quit can reduce NHS treatment costs and improve quality of life for patients. This includes pregnancy, chronic obstructive pulmonary disease and other respiratory diseases, cardiovascular disease, mental health, surgery, diabetes and HIV/AIDS, not to mention 16 different types of cancer. Advice and treatment can increase patients’ chances of quitting up to fourfold. It is about the cheapest and most effective healthcare intervention around, costing hundreds of pounds per successful quitter. But despite these impressive results, only 24% of patients diagnosed with lung cancer are offered advice to quit by their GPs, and only 13% are prescribed stop smoking treatment. The RCP has calculated that if all smokers were provided with help to quit, the NHS could save £60 million annually in hospital readmission costs and A&E attendances alone from year one onwards, once the cost of the treatment is taken into account.

There are many other aspects to this issue. My hon. Friend the Member for Harrow East—I call him my hon. Friend, despite the fact that he sits on the Government Benches—talked about other nationalities living in the UK. We could talk in great detail about people from eastern Europe and the extremely high levels of smoking in those communities, but I want to finish with just two simple questions for the Minister. Will the Government seriously consider all the recommendations that I have outlined in the debate today? Will he commit to asking Simon Stevens, as chief executive of the NHS, to confirm that tobacco dependency treatment for all smokers, as recommended by the RCP and ASH, will be included in the plan for the NHS to be published in November? He knows, as we all do, that lives depend on it.

4.13 pm

Sir Kevin Barron (Rother Valley) (Lab): I speak as an honorary fellow of the Royal College of Physicians and as a vice-chair of the all-party parliamentary group on smoking and health, to which, as everybody knows, the secretariat is Action on Smoking and Health, which I have been involved in for over two and a half decades now.

Smoking continues to be one of the most pressing health issues in my constituency, despite decades of progress in this country. Most importantly, it remains an enduring cause of unequal life expectancy for my constituents—something that it is extremely welcome to see the Government acknowledge in the tobacco control plan. Different Governments over the years have not always acknowledged these stark issues, which have been around for decades.

In Rotherham, which is partly in my constituency, 16.2% of the population smoke, which is above the English average of 14.9%. In 2016-17, 17.1% of women were smokers at the time of delivery, compared with the
regional value of 14.4% and the national value of 10.7%, so we have higher rates of smoking in pregnancy than elsewhere. In 2014-16, of the estimated deaths attributed to smoking per 1,000 of the population aged 35-plus, 1,487 were in Rotherham. If anything else was killing that number of the population in our constituencies, we would rightly be taking action, and more action than we currently do.

In 2016, there were 3,620 smoking-attributable hospital admissions in Rotherham. In 2017, 22.8% of routine workers smoked compared with 13.1% of those in managerial professions. Among people who have never worked, the smoking rate rises further, up to 24.8%. Each year, smoking in Rotherham costs society approximately £64.2 million. This cost is accrued in a range of social domains, including healthcare, productivity, social care and house fires. It used to be chip pans that caused more house fires in constituencies such as mine, but cigarettes have now taken over.

The total annual cost of smoking to the NHS across Rotherham is estimated at about £12.7 million, with £3.7 million of this due to 3,244 hospital admissions for smoking-related conditions and £9 million due to treating smoking-related illness via primary and ambulatory care services. In 2015, there were 24,924 households in Rotherham with at least one smoker. When net income and smoking expenditure is taken into account, 34% of households with a smoker fell below the poverty line. If those smokers were to quit, 2,173 households in Rotherham would be elevated above the poverty line. These are the stakes for people with this addiction in constituencies such as mine.

I have long supported a strong approach to tobacco harm reduction as an important plank in the strategy to reduce health inequalities. Smokers who are disadvantaged face many more barriers to quitting, including high levels of addiction. A properly implemented tobacco harm reduction strategy can address this, and obviously has been doing so in the recent past. The commitment in the tobacco control plan to support innovation is welcome. Since the plan was published, Public Health England has published an updated evidence review of e-cigarettes showing the growing evidence that vaping is less harmful than smoking and has the potential to support thousands more people to become smoke free.

As I said in the debate on this subject in Westminster Hall, this is the first tobacco control plan that has ever mentioned e-cigarettes. The recent report by the Royal College of Physicians on smoking and the NHS reiterated the RCP’s support for the use of e-cigarettes and encouraged wider use of these products within the NHS. However, smokers’ appetite for trying e-cigarettes seems to have slowed somewhat. Since 2013, there has been a tailing off in the rapid growth in the market. This coincides with a deterioration of public understanding about the relative safety of e-cigarettes compared with smoking.

Action on Smoking and Health has recently provided evidence to the Science and Technology Committee inquiry on e-cigarettes. ASH reported a moderate improvement in accurate understanding of the harms from e-cigarettes between 2017 and 2018, but 22% of current smokers still think that e-cigarettes are as harmful or more harmful than smoking. Yet Public Health England has said that they are now at least 95% safer than cigarettes. Clearly, more needs to be done to promote better health understanding of the relative safety of e-cigarettes. This should include addressing the lack of understanding also among health professionals, in addition to engaging smokers more in this.

I want to give a couple of brief examples of how e-cigarettes interact with smoking rates. The Minister has heard me say before that meeting the targets in the last plan and reducing adult smoking to its current levels was probably very much helped by smokers voluntarily taking up e-cigarettes. Some 2.9 million adults in the UK use e-cigarettes, more than half of whom have stopped smoking completely, so about 1.5 million people have stopped smoking because of e-cigarettes. ASH produced those figures for 2017. Likewise, 18% of smokers used e-cigarettes in 2017, and 23% of ex-smokers reported that they use or used to use an e-cigarette. One person in the UK switches to e-cigarettes every three minutes, allegedly.

I want to give a comparator and to refer back to my intervention on the Minister. I chaired the Health Committee in 2005, after we had fought an election on a manifesto commitment by the Labour party to introduce a ban on smoking in public places. I stood on that manifesto, but the ban proposed was not a comprehensive one. The Health Committee, of which I became the Chair, investigated smoking in public places. We went to Ireland to take evidence, because it had had such a ban for about two years.

I will now demonstrate the effectiveness of e-cigarettes by comparing smoking rates in the UK versus those in Ireland, where every other approach to tobacco control is identical to those in the UK, such as plain packaging, retail display bans and marketing promotions all stopped. In recent years in the UK, smoking rates have dropped by almost a quarter—according to the Office for National Statistics. 24.4% of UK adults smoked in 2012 and 15.8% in 2016—and the UK now has the second lowest smoking rate in Europe. In Ireland, which has exactly the same tobacco control as we put through this place over many years, smoking rates have stagnated: 23% of adults smoked in 2015 and 2016, dropping to 22% in 2017, according to Healthy Ireland stats. That shows how the use of e-cigarettes has been good in reducing smoking in this country.

According to Public Health England, e-cigarette use is associated with improved quitting success rates over the past year and an accelerated drop in smoking rates across the country. It said that e-cigarettes contribute to at least 20,000 successful new quits per year and possibly many more—we are not measuring them in those terms, although that is something that clearly needs to be done.

I will finish soon, but as much as I support the tobacco plan in all its targets and everything else, we still need to look at what is happening on the ground, as several other Members have said. I think that we would all accept that the availability of smoking cessation programmes is patchy to say the least.

ONS stats on smoking prevalence identify for us the five local authorities with the highest rates: Redditch, Thanet—so this is not necessarily a north-south thing as a result of deprivation, or there is clearly deprivation in Thanet as well, down on the south coast—the City of Kingston upon Hull, which I think was mentioned earlier in this debate, Glasgow City and Sunderland.
The five local authorities with the lowest smoking prevalence rates are Christchurch, West Devon, Maldon, North Warwickshire and the Orkney Islands. In my view, we need to recognise the differences that got to the meat of the targets. We need to look beyond saying that this is a matter for local authorities.

“Feeling the Heat: The Decline of Stop Smoking Services in England” was a Cancer Research UK survey and report done in 2017. Its conclusions were that budgets for local authority cessation services ranged from nil to £1.7 million, or an average of £436,000 per local authority, and that 61% of local authorities offered specialist cessation services, with advisers offering one-to-one or group support and access to medication. Some have been replaced with a more general lifestyle service. Tobacco control was said to be a high priority by 57% of the local authorities—they say that, but have they the ability to do anything?—while 75% of local authority cessation services supported use of e-cigarettes, but only 50% of primary care providers did so. We need a consistent approach in line with public health and NICE recommendations. The last figure I will give from the report was that a third of local authorities had no budget for wider tobacco control activity, dealing with issues such as illicit and under-age trade.

I will finish with this point for the Minister. Given that we know the areas where there is evidence of high levels of smoking and therefore a high number of premature deaths from smoking, we need something more—one of the current situations of austerity and everything else—than just saying that we want local authorities to get on with this. Having identified where such needs have to be met—this should definitely be ring-fenced—perhaps the national Government, or the Department of Health and Social Care, will find a way to look at this and make sure that we get the services where the need is greatest. I will leave that with the Minister. I thank him again for all he has done since he has been in office, and I hope that the success we want from this tobacco plan will take place.

4.25 pm

Jim Shannon (Strangford) (DUP): First, I thank the Minister for bringing forward the plan. As always, he is very active in health matters, and he certainly has a passion for this. I also thank right hon. and hon. Members who have spoken. Their information and evidence-based contributions have added greatly to the debate. Their knowledge is certainly greater than mine, but I must say that the hon. Member for Stockton North (Alex Cunningham) and the right hon. Member for Rother Valley (Sir Kevin Barron) have made significant contributions.

I am my party’s health spokesperson in this House, and I want to provide a bit of background about Northern Ireland. The right hon. Gentleman referred to some of the facts from Ireland, and I will look at this from a Northern Ireland perspective. We in the Democratic Unionist party set out our health policies in “Our plan for a world class health service”. When we had a functioning Assembly, that was one of the things we were very proud of; I hope we will get back to those days very soon. One of the aims was to improve the health service, and one of the pillars and listed successful health outcomes over the past few years was a decrease in smoking.

We have clearly had a policy and a strategy to address this issue. In 2012, the Northern Ireland Public Health Agency published its public health strategy “Making Life Better” for 2012 to 2023. In 2015, it published “Tobacco Control Northern Ireland”, which stated:

“Smoking has been identified as the single greatest cause of preventable illness and premature death in Northern Ireland”.

The tobacco control paper noted that in 2014, about 16% or one in six of all deaths in Northern Ireland were attributable to smoking. Over the ten years to 2015, smoking caused between 2,300 and 2,400 premature deaths per year. That indicated how important it was to reduce tobacco smoking and its take-up.

Across Northern Ireland, the standardised death rate due to smoking-related causes in the most deprived areas was 54% higher than the overall regional rate and 129% higher than the standardised death rate in the least deprived areas, and relative health inequality was getting worse. A general theme coming through from all those who have made contributions is the take-up of smoking in areas of deprivation across the whole of the United Kingdom of Great Britain and Northern Ireland. There is also a related gender gap. The standardised death rate due to smoking-related causes was highest among males in the 20% most deprived areas, more than twice that of males in the 20% least deprived areas, and almost five times that of females in the 20% least deprived areas. According to the report, smoking cost Northern Ireland some £450 million a year.

We quite clearly had a big issue that we were trying to address, and I believe the strategy implemented through “Tobacco Control Northern Ireland” was a methodology to do just that. Reducing smoking prevalence remains central to Northern Ireland’s public health policy, and we clearly support what the Minister has said, and what other Members have said, because they also recognise that. Although health is a devolved responsibility, many other areas of public policy relevant to reducing smoking prevalence remain the responsibility of the Government in Westminster, and our contribution takes that into consideration.

If I may, I want to comment on e-cigarettes. The right hon. Member for Rother Valley very clearly outlined the advantages of e-cigarettes and vaping. Some of the figures are incredibly important. Vapour particles from e-cigarettes are 73% water, which means that they quickly evaporate into the atmosphere, and the evidence of experts shows that 99% of the nicotine is retained in the vapour. It is very important to appreciate the advantages of e-cigarettes.

According to the UK national health service, there is no evidence of direct harm from passive exposure to e-cigarette vapour, and if we look outside the United Kingdom, evidence from other countries—France is one example—suggests there is no harm from passive vaping, based on current scientific knowledge, facts and figures. In 2016, the UK Government issued advice to employers to encourage workplaces to adopt pro-vaping policies so that it would be as easy and convenient as possible for workers to switch. That was on the basis that international peer-reviewed evidence indicates that the risk to the health of bystanders from exposure to e-cigarette vapour is extremely low. Again, there is an evidential base. Not so long ago I asked the Department of Health and Social Care whether it would consider introducing vaping areas in hospitals. People who are...
visiting hospitals go outside to smoke, and those who
want to vape do not necessarily want to go to those
smoking areas. I hope that the Minister will consider
that idea.

In Newtownards, the major town of my Strangford
constituency, a number of shops sell e-cigarettes. I
suggest that those shops function because of the take-up
of e-cigarettes—that is why they can pay their bills and
why they exist. Very often, someone walking down the
high street in Newtownards and elsewhere can see puffs
of smoke. They are almost taken aback, and then they
get the smell of strawberry, raspberry or cashew nuts,
and realise that someone is vaping.

I want to comment on that point because it is important.
The hon. Member for Harrow East (Bob Blackman)
mentioned the US, and a survey carried out there suggested that vaping flavours may discourage smokers
from returning to cigarettes. It stated:

“The results show that non-tobacco flavours, especially fruit
based flavours, are being increasingly preferred to tobacco flavours
by adult vapers who have completely switched from combustible
cigarettes to vapour products.”

That was a survey of 20,000 adult frequent vapers in the
United States, and of those 20,000, 16,000 had completely
switched from smoking to vaping, and 5,000 were dual
users who smoked and used vaping products—I want to
add that point to the debate, because we must consider
those results and look at the best ways to tackle this
issue.

Hon. Members have asked how we can advance our
strategy further. The Tobacco Control Northern Ireland
report stated that exposure to smoking behaviour
“continues to occur in films deemed by the British Board of Film
Classification as suitable for children and young people...this tobacco imagery extends beyond the film industry into mainstream
television broadcasts”.

More than 60% of incidences of tobacco use occur
before the 9 pm watershed, thereby providing a possible
source of young people’s exposure to tobacco. A clear
causal link has been established between smoking initiation
among young people and smoking on screen in the
entertainment media. The impact is down to the amount
of smoking that young people see, not whether it is
glamorised or not. The greater the exposure to smoking—
however it is depicted—the greater the risk of smoking
uptake, and I am sure that the Minister will come back
with his thoughts about that.

Will the Minister ask his colleagues who are responsible
for the regulation of film and TV in the Department for
Digital, Culture, Media and Sport to work with the
Department of Health and Social Care, and press Ofcom
and the British Board of Film Classification to ensure that
their codes effectively tackle the portrayal of smoking
in films and television programmes that are likely to be
seen by children?

In Northern Ireland, since 6 April 2016, retailers have
been obliged to register with the Tobacco Register of
Northern Ireland, with a final deadline of 1 July 2016.
That built on a similar scheme already in place in
Scotland—the hon. Member for Linlithgow and East
Falkirk (Martyn Day) referred to that—and a scheme is
due for implementation in Wales. Lessons can be learned
from such schemes, and I believe that we can learn
greatly from the other regions of the United Kingdom
of Great Britain and Northern Ireland, and bring our
thoughts together to do something collectively that will
benefit us all. Although registration schemes have the
benefit of enabling public health authorities to identify
where tobacco is sold, as currently constructed they
appear to have had limited impact in preventing the sale
of tobacco to underage children, or the sale of illicit
tobacco.

I know this point is not the Minister’s responsibility,
but I would just like to put it on record. In Northern
Ireland, paramilitaries are involved with illegal tobacco
smuggling and cheap cigarettes flood the market. The
Police Service of Northern Ireland and the customs
authorities are involved in trying to address the issue,
but if I may I would suggest that Her Majesty’s Revenue
and Customs could be more involved across the whole
of the United Kingdom.

In conclusion, will the Minister ensure that his officials
and their counterparts in HMRC talk to their opposite
numbers in Northern Ireland, Scotland and Wales about
their experience of the retail register scheme, and the
lessons to be learned from the experience of the devolved
Administrations? We can look at live these issues collectively,
bringing our knowledge from the regions we represent.
Hopefully, out of that we can construct a tobacco
control policy that can help us all.

Mrs Hodgson: With the leave of the House, I would
like to start my closing remarks by thanking the hon.
Member for Harrow East (Bob Blackman) and
my hon. Friend the Member for Stockton North
(Alex Cunningham), the chair and vice-chair of the
very influential and active all-party parliamentary group
on smoking and health, for their excellent speeches
today and their leadership on this issue. I also thank
my right hon. Friend the Member for Rother Valley
(Sir Kevin Barron). As we know, he has campaigned in this House
for decades on this issue. I thank the hon. Member for
Linlithgow and East Falkirk (Martyn Day), who speaks
for the Scottish National party, and, last but by no
means least, the hon. Member for Strangford (Jim
Shannon). It has been an excellent debate.

I will begin by touching on e-cigarettes, which I
mentioned in my opening remarks and several hon.
Members mentioned in the debate. For the first time,
e-cigarettes were mentioned in the updated tobacco
control plan, with the aim of maximising the availability
of safer alternatives to smoking. There has been a
significant increase in e-cigarette usage since the publication
of the previous 2011 strategy. There were 700,000 e-cigarette
users in 2012. That figure rose to 2.8 million by 2016. In
2016, Office for National Statistics data found that
470,000 people were using e-cigarettes as an aid to stop
smoking, while an estimated 2 million had used the
products and had stopped smoking completely. I am
therefore pleased that Public Health England’s Stoptober
campaign now includes e-cigarettes as a smoking cessation
aid and that e-cigarettes have been found to be about
95% less harmful than smoking. We should encourage
people to use smoking cessation aids, such as e-cigarettes,
to help them to stop smoking, while keeping a watchful
eye on any negative health outcomes, if there are any.

Earlier this year, I joined the Minister, Action on
Smoking and Health, Fresh North East and a host of
NHS professionals to launch the NHS Smokefree Pledge.
During my speech at the launch, I said that smoking cessation should become a central theme of healthcare staff’s engagement with patients, making every contact count to help people to quit smoking. Has the Minister made any assessment of the success of this pledge so far and will the Government make any further assessment of how many people have quit smoking because of the NHS Smokefree Pledge?

While the proportion of adults who have never smoked cigarettes has increased over the past 30 years, from 25% of men and 49% of women in 1974 to 56% and 63% respectively in 2016, we must ensure that that steady increase continues. However, the deaths attributable to smoking continue. Of the 115,000 lung disease deaths each year, up to 58,500 are attributable to smoking. This includes 86% of all lung cancer deaths and 77% of all chronic obstructive pulmonary disease deaths. The UK currently has one of the highest premature mortality rates from lung diseases in Europe. Smokers are almost twice as likely to have a heart attack compared with people who have never smoked and about half of all regular smokers will eventually be killed by their habit.

This is unacceptable.

The Government have a duty to ensure that their citizens are healthy, which means properly funded public health services and implementing policies that encourage healthier lifestyles. Will the Minister tell the House if further funding will be granted to local authorities to deliver public health services such as smoking cessation?

I truly believe that the ambitions in the tobacco control plan cannot be achieved without adequate funding. I know that like me, he is truly passionate about reducing smoking rates and rightly passionate about achieving a smoke-free generation, so I look forward to his response.

4.40 pm

Steve Brine: With the leave of the House, I will also respond to the debate, Mr Deputy Speaker. I am aware that I am standing in the middle of the A14—almost literally—which is tonight’s Adjournment debate, but I will respond to the points that have been raised in this short and small but perfectly formed debate.

The shadow Minister—my good friend, the hon. Member for Washington and Sunderland West (Mrs Hodgson)—rightly mentioned the issue of pregnant women and smoking, to which I referred in my opening remarks. Public Health England and NHS England are working on a joint strategy at the moment, setting out recommendations for how local areas can work together to achieve our ambition on smoking in pregnancy. In a way, I guess that is given a greater impetus in the light of the flatlining figures—I suppose that is the accurate way of putting it. This work is part of the maternity transformation programme, which started in 2016 and which I know she is aware of. Public Health England will look at how its mass media campaign can more effectively reach young people, especially working-class women of reproductive age and their families and friends. I wanted to put that on the record.

The hon. Lady returned to the subject of smoking services. I repeat what I said during the debate: there are varying views across the country, so it is right that local councils have the flexibility to respond. I will touch on the point that the right hon. Member for Rother Valley (Sir Kevin Barron) mentioned about this being all the responsibility of local authorities. There is a third way, he will pleased to know, as a Blairite—that has finished his career, I apologise. I put on record again that councils will receive £16 billion of the public health funding until the next spending review, when the spending plans will be announced. We expect them to use it wisely.

My hon. Friend the Member for Harrow East (Bob Blackman) talked about the Back-Bench debate and the general debate. I will leave that matter for the usual channels, but the important thing is that we are having the debate, which is very welcome.

The shadow Minister spoke about smoking cessation training and those services. The success of our plan hinges on all manner of professionals offering help that works, which is why effective training on supporting smokers to quit is central to the tobacco control plan—from doctors and nurses in the NHS to physiotherapists in the community, to pharmacists, who I have mentioned, and to the health professionals who need to equip smokers with the capability, opportunity and motivation to quit for good. It often involves very brief advice and there is a lot of online training out there. Twenty minutes or so of online training can teach a professional how to have a short conversation with somebody with a smoking challenge, with proven results. I wanted to put that on record.

My hon. Friend the Member for Harrow East mentioned Philip Morris International and its kind proposal to help NHS trusts, which has been in the newspapers today. I thought I would place on record for the House what it talked about in its offer to trusts was “operating a scheme that allows employees who do not quit to trial one of our range of smoke-free alternatives”. We have to give them 10 out of 10 for effort, but it is totally inappropriate and that is why we have written to all trusts to make it clear.

I understand my hon. Friend’s Budget 2018 proposal for the Chancellor of the Exchequer on the need for the money in respect of the polluter pays principle. I know that the Chancellor will have heard that. My hon. Friend talked about the need for hard-hitting campaigns. We do have them, of course, and they are an essential part of tobacco control. In England for several years now, we have sought the balance between hope and harm. Every January, we have the Health Harms campaign and in the autumn, we have our more upbeat Stoptober campaign, and 2018 will be no exception.

The hon. Member for Linlithgow and East Falkirk (Martyn Day), who spoke for the SNP, talked about the illicit tobacco trade protocol, and I thank him for putting on record that we indeed ratified the protocol on 27 June to eliminate the illicit trade in protocols. The first meeting of the members of the protocol will be in Geneva from 8 to 10 October.

The hon. Gentleman talked about track and trace. The tobacco products directive contains a commitment to provide track and trace system by May 2019 for cigarettes and roll-your-own tobacco. The European Union has published draft recommendations on the track and trace proposals, and we voted in favour of implementing the regulations. I would say that the EU measures go beyond the requirements of the framework convention on tobacco control, but many of its benefits arise from the exchange of information between nations, so it seemed sensible to us for the UK to align with the EU after exit in this respect.
Both the hon. Member for Stockton North (Alex Cunningham) and the hon. Member for Linlithgow and East Falkirk talked about smoking and the media. The Government do not interfere in editorial decisions. I think it right that content makers decide what to include in their programmes, provided that they comply with the broadcasting code, and I ask them to take their responsibility seriously. Obviously, as Members have said, they are regulated by Ofcom. Last month, it published a note to broadcasters reminding them of the rules in this area, and advising them on the depiction of branding and health warnings. The last time Ofcom found a breach of the broadcasting code related to smoking was in 2015, so I think that broadcasters take the code seriously.

Many Members mentioned the British Board of Film Classification, which I know well and which is a well-managed organisation. Its guidelines were last updated four years ago, in 2014. Consultation on the new guidelines began late last year, and they are expected to be published early in 2019.

There was a lot of talk about e-cigarettes, which were partly dealt with at the beginning of the debate. Public Health England will update its evidence report on e-cigarettes and other novel nicotine delivery systems annually until the end of the current Parliament in 2022, and we will include that in our “quit smoking” campaign messages about the relative—I underline “relative”, if Hansard can underline—safety of e-cigarettes. I enjoyed the comparison that the right hon. Member for Rother Valley made with Ireland: I thank him for that.

The right hon. Gentleman also said that not everything could be done by local authorities. We have not said that it should. I have made it very clear to Public Health England that where we have more work to do is where they should target their help and support, but there is also a new grant to support the tobacco control plan. The Government have launched a competitive scheme whereby organisations can apply to undertake work to support the plan’s ambitions. The grant is £140,000 a year for three years, from 2018-19: a total of £420,000 is available. Applications are currently being assessed, and we will contact the successful applicants in the autumn. I will find out some more details and send them to the all-party group.

The hon. Member for Strangford (Jim Shannon)—as always!—asked whether we would introduce vaping areas in hospitals. Public Health England advises that the smoking of e-cigarettes should not be routinely treated in the same way as smoking tobacco, but it is true that it is for NHS trusts to make their own policies. Some, including the Maudsley, have designated areas both indoors and outdoors.

Alex Cunningham: Will the Minister give way?

Mr Deputy Speaker (Sir Lindsay Hoyle): It is up to the Minister. He said that he wanted to speak for only one minute.

Steve Brine: I will give way.

Alex Cunningham: The Minister has 12 minutes left.

Mr Deputy Speaker: It was the Minister who suggested that he wanted only one minute in which to sum up. The fact that we are late does not matter to me.

Alex Cunningham: Let me tease the Minister on three matters. One, what are we going to do about the “tab houses”? Two, what is his position on cigarette pack inserts? Three, what is he doing to do about the fact that mass media campaign funding has been cut by 90% in the last 10 years? We need that funding in order to be effective.

Steve Brine: I will write to the hon. Gentleman about his first two points. As for the mass media point, the hard-hitting campaigns that we conduct through the mass media are incredibly powerful. Last year’s campaign showed a gentleman rolling a cigarette with roll-your-own tobacco made of blood and gore. That was very hard-hitting, and it had an incredibly good response mechanism when we tested it and when we rolled it out. In this year’s campaign, “between hope and harm”, I think the hon. Gentleman will see a good balance of that mass media campaign that he talked about.

I realise that that was more than a minute, Mr Deputy Speaker. There is so much to say about this subject! It is so exciting.

Let me end by reaffirming the Government’s commitment. What everyone has said today has been very kind. Yes, I am committed to this subject, but ultimately we will be judged on our record. We are committed to making further sharp reductions in smoking prevalence, not so that we can meet the ambitions of the plan, although that is all very nice, but so that we can make a difference to people’s lives, because as the right hon. Member for Rother Valley said, if our constituents were dying in these numbers in road accidents we would be calling for crossings.

We want to make the smoke-free generation a reality to help people’s lives and to make a difference. Tobacco control is a key priority for us, and it will be a key priority for the 10-year plan that the Secretary of State and I will be working on with NHS England. I was interested to hear the comments of Simon Stevens at the Select Committee, and I agree with Simon, not for the first time.

I thank all Members who have spoken for their contributions—and it is amazing how far a minute can go, Mr Deputy Speaker.

Question put and agreed to.

Resolved,

That this House has considered the Tobacco Control Plan.

USE OF CHAMBER (WOMEN MPS OF THE WORLD CONFERENCE)

Resolved,

That this House welcomes the events organised to celebrate women’s suffrage and to mark the centenary of the Representation of the People Act 1918; recognises that the Women MPs of the World Conference provides a unique opportunity to gather parliamentarians from across the world to engage in discussions about equal representation and bring about social change; and accordingly resolves that parliamentarians who are delegates participating in the Women MPs of the World Conference should be allowed to hold a debate in the Chamber of this House on a day in November other than a day on which this House is sitting or a day on which the UK Youth Parliament is making use of the Chamber.—[Mims Davies.]
A14 Cambridge-Huntingdon Upgrade

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

4.50 pm

Daniel Zeichner (Cambridge) (Lab): I am grateful for the opportunity to consider in the House the very important issue of the problems caused by the diversions implemented during the A14 Cambridge to Huntingdon upgrade. This really matters to my constituents. One has contacted me today to say that they have moved house because of the upset, and another emailed me this morning promising to tune in to this debate from where they are hiking in the Arctic circle; I hope it does not disappoint.

This road upgrade is important and long overdue. It is managed by Highways England, which I was pleased to meet some weeks ago when I went on site to discuss these issues. Anyone driving along the A14 at the moment, albeit often in a queue, cannot fail to be impressed by the scale of the works. Given that regular users have often been in queues over many years, and that there have been too many accidents and delays, most are agreed that the works are essential, and that, despite the current misery being caused, there will be substantial benefits. Let me also say at the outset that at my meeting with Highways England I was impressed by the knowledge and dedication of the many people involved; it is a huge and complicated operation, and everyone wants it to go well.

The purpose of this debate, however, is to highlight the unintended consequences for many who are affected during the construction, and to question whether enough is being done to mitigate those consequences. In my view, my constituents are paying a very heavy price in terms of their current quality of life to possibly improve the lives of others in the future. That is not fair, and I trust the Minister will hear that message loud and clear, and offer not just sympathy and kind words—which I am sure she will—but real action to stop the misery currently being endured.

The existing A14 trunk road between Cambridge and Huntingdon is well known for congestion and delays, and around 85,000 vehicles use this stretch of the A14 every day, many more than the road was originally designed to take. Around a quarter of this traffic comprises heavy goods vehicles, well above the national average for this type of road, and this adds to the need for an upgrade. It is a key east-west freight route—freight which many of us believe would be better off on the railways, but that is a debate for another day.

I will start by running through the history of this upgrade. The A14 has a chequered history over the Cambridge to Huntingdon section, with plans to upgrade going through various announcements, cancellations and re-announcements. I pay tribute to John Bridge of the Cambridgeshire chambers of commerce, who has devoted years of his life to campaigning for these improvements; indeed, there probably should be a bridge named after him. And I will now give an abridged account of what has happened.

Proposals were first made to widen the A14 between Bar Hill and Huntingdon in the late 1980s and were reviewed in 1998 as part of the Cambridge to Huntingdon multi-modal study, or CHUMMS. For many years, CHUMMS became a part of many of our lives. In 2005, the Highways Agency, as it then was, unveiled plans for widening the road from Fen Drayton to Fen Ditton, with the route unveiled in March 2007. This was originally planned to be completed and in use by 2016—what a wonderful thought—and the cost at that time was between £690 million and £1.2 billion, a far cry from the £2 billion-plus that we are now having to pay.

Around this time, the Labour Government of the day also approved the guided bus route, designed to relieve some of the pressure on the road. It was controversial, not least because it was only guided until it met city-centre congestion; it is the longest guided busway in the world but has cost much more than anticipated, although it has taken some of the strain and is now very heavily used.

When the coalition Government came to power in 2010, the scheme was duly cancelled by the Conservative-Liberal Democrat Administration. After much lobbying, we then had an interesting diversion when local councils were urged to make contributions from their declining funds, which the ever-helpful Liberal Democrat administration in Cambridge declined to do. David Cameron then famously told BBC “Look East”—I think he was speaking to Andrew Sinclair at the time—that the scheme would not be built unless the A14 became a toll road, but, like a number of things David Cameron said, it did not turn out quite as planned, as his suggestion provoked a furious backlash across eastern England.

There was further prevarication, before the scheme was officially cancelled—until a new version was developed the following year. In November 2012, the scheme was reported to be back in action, and it was mentioned in the June 2013 spending review. In May 2016, the then Transport Secretary, the right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin), approved it, and it is now due for completion in March 2021, by which time the country might well look rather different.

Those were the funding sagas that we dealt with. At the same time, various planning objections were lodged, which added further delays, but the scheme is clearly essential, and the Huntingdon flyover is now in a serious state of disrepair, so it was clear that something had to be done. However, this means that it is now much more expensive than it would have been in 2010, and many more years of misery have been endured since then. It is clearly a relief that the scheme is finally under way, but it is unacceptable that people in Cambridge are being made to suffer because of problems with the diversion, particularly through this long hot summer. Of course, many people outside the city are also suffering, particularly in the surrounding villages, but I will focus my remarks on my constituents who have made their experiences and feelings very clear.

This upgrade, although necessary, is unrelenting, with Highways England telling me that overnight road closures will continue five nights a week until September. Highways England’s official overnight diversion strategy adds 30 or more miles to the journeys of those driving lorries across the country, taking them along a strategic diversion route that includes the M11, the A505 and the A11 back to junction 36 on the A14, so it is unsurprising that some drivers choose to short-cut through Cambridge, along Kings Hedges Road, Milton Road, Victoria Road, Newmarket Road, Histon Road and Huntingdon Road.
However, this short-cut is unacceptable as it disrupts the lives of my constituents—to whom I am grateful for making me aware of the situation—particularly tireless local campaigners such as Doug Whyte and Elaine Gristwood, who recently presented me with a petition from local residents who are affected. This involves virtually every house along the route, and in turn presented the petition to Highways England. They and residents on other routes have explained the effects of the diversions on our communities. Heavy goods vehicles are driving through small streets that are profoundly unsuited to heavy loads, such as Victoria Road, and it cannot be right that my constituents cannot sleep with their windows open owing to the noise, that children have had trouble sleeping through the racket on the nights before their exams, or that constituents have reported health problems, including one who got in touch to say that the increased fumes along Kings Hedges Road had had health implications for her husband, leading to asthma attacks. I also want to pay tribute to Claire Richards, who have worked tirelessly with residents to try to find solutions to this problem.

I want to quote a few pieces of correspondence that I have received from constituents. One woman has told me:

“Admirable amounts of sleep are impossible with lorries thundering past every minute, and this is severely affecting my quality of life, mood, and effectiveness at work. My whole flat shakes every time an HGV goes past. It’s like a miniature earthquake, and I’m worried the building is not designed to deal with this kind of strain.”

Another has told me:

“Before the A14 closures I had laid down a brand new driveway for my property; this included laying down concrete for it. Due to the HGVs going down the road it has created cracks in my brand new driveway, and with the lorries going down the road frequently it will just get worse. So on top of not being able to have a peaceful night sleep, the house shaking causing things to break in the house, the outside of our house is also cracking.”

It is clear that the situation cannot go on. We need stronger disincentives for the HGVs that ignore the official diversion and hurtle through the city’s streets. Of course, I have considerable sympathy for the drivers who have a maximum number of hours that they can drive before legally needing breaks, and I understand the time pressures on them and their employers and the extra costs that long diversions bring, but the improvements in future journey times and fewer delays will help those hauliers. They will benefit in a way that my currently suffering constituents will not. Many of my constituents were initially forgiving of the disruption, accepting that it was part of the A14 upgrade, which they appreciate is vital.

At 5 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.—[Mins Davies.]"
Even more dispiriting is Highways England’s continuing failure to communicate properly. BBC Radio Cambridgeshire, in particular Dotty McLeod, has kept local residents informed. However, what is going on because those responsible are refusing to answer questions.

The Minister will doubtless say that Highways England is an independent agency. Well, I say it was this Government who created that independence, and they did not absolve themselves of responsibility by so doing. It is public money, and there should be public accountability. I hope we can have an assurance from the Minister that, in future, Highways England will make itself available to answer questions on local media, just as local politicians have to.

My conclusion is that these problems could be resolved if there were the will and the resource to do it. I ask the Minister to intervene to end the misery. The suffering of the past few months cannot be undone, but it does not have to be extended. This project is in itself expensive, and, as I have said, it is more expensive now than it would have been if it had been completed years earlier, but for a fraction of the overall amount being spent the harm being done to my constituents could be mitigated. Signage, monitoring, TTOs, policing and proper governance are all key, and they should have been priorities from the start, but resourcing has made it all much more of a struggle.

I would like the Minister to commit now to properly resourcing a framework that means HGVs will follow the proper diversions. Drivers who do not, should be named, shamed and fined to protect the people of Cambridge who are currently left unprotected. I have been in conversation with Highways England for months, and it does not seem able to solve this problem. I have written to thousands of constituents to explain the situation and to ask for their views and experiences.

It is fundamentally unfair that our city’s roads will suffer damage and, more importantly, that the physical and mental health of my constituents will be affected owing to the Government’s neglecting to create the frameworks necessary to make sure that people follow the rules. I trust that the Minister will commit to sorting this out and that lessons will be learned from this sorry saga so that similar mistakes are not made on other schemes in the future.

5.6 pm

The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani): I congratulate the hon. Member for Cambridge (Daniel Zeichner) on securing this debate and the hon. Member for Cambridge (Daniel Zeichner) on his work in highlighting the issues.

The hon. Member for Cambridge diligently raised the concerns of his constituents about this subject and particularly the impact of road diversions through Cambridgeshire as a result of the scheme’s construction. He has continued to lobby behind the scenes, too, and he has commented on his meetings with Highways England to resolve the A14 diversions.

I will use this opportunity to outline what Highways England is doing to reduce the impact of the scheme’s road diversions on local residents. I will discuss those road diversions in some detail, but I begin by reminding hon. Members of the strategic reasons for the scheme and by providing an update on Highways England’s good progress in delivering these much needed road improvements.

In 2013, the Government committed to improving a 21-mile stretch of the A14 between Cambridge and Huntingdon, which the hon. Gentleman no doubt supports. This section of road is one of the busiest parts of the strategic road network between the Midlands, East Anglia and the port of Felixstowe. It is vital in connecting businesses, communities and families across Cambridgeshire and beyond, and it is a crucial corridor for international freight. However, it is a long-standing congestion hotspot and an area of concern for local communities.

In delivering upgrades to the A14, Highways England and the Department for Transport have acknowledged that demand on the A14 is taking an increasing toll on both drivers and local residents. Commutes between Huntingdon and Cambridge are severely congested. Small villages on either side of the road suffer from increased traffic due to drivers rat-running to avoid traffic delays on the A14.

The existing A14 is not fit for purpose. In recognition of the problems, the A14 improvement works were included as a major project in the five-year road investment strategy that the Department published in December 2014. Local authorities and local enterprise partnerships have together committed £100 million towards the £1.5 billion cost of the scheme. That contribution will help to deliver a scheme that meets the needs of the strategic road network and local people. The scheme will provide benefits to road users and local communities by making the following improvements: 21 miles of new three-lane dual carriageway road; a new 450-metre viaduct; the removal of the existing unsightly viaduct at Huntingdon town centre; two new footbridges at Swavesey junction and Bar Hill; and more than 18 miles of routes suitable for walking, cycling and horseback riding.

The Government and the Department firmly believe that the scheme will create a positive legacy by connecting communities and unlocking regional and local economic growth, while combatting congestion and improving road safety in the area. The A14 upgrade will reduce community severance and relieve congestion on a critical part of the network, making travel and commuting easier, safer and more reliable. Increased capacity will result in fewer accidents on this stretch of road, and the inclusion of better designed grade-separated junctions will further improve safety. The scheme will combat congestion by separating strategic and local traffic.

That is vital, as a 26% increase in traffic growth is predicted for the region by 2026, with Cambridgeshire’s employment forecast to grow by 16% between 2012 and 2031.
Changes to the old road will improve air quality and reduce traffic noise. Highways England has been taking significant steps to ensure that the environment and wildlife of the local area are protected throughout construction and, where possible, will benefit from the scheme. As part of the scheme, Highways England will be delivering 2.7 sq kms of new habitat for wildlife and, you will be interested to know, Mr Deputy Speaker, installing 240 bat boxes and a variety of bird boxes—I am glad that you approve. The scheme also provides an opportunity to improve conditions for walkers, cyclists and equestrians through new crossings. This will restore and build new links and pathways, which will better connect communities.

The scheme will help to create a positive legacy in Cambridgeshire, enabling residential and business developments in the area. To date, the scheme has created jobs during construction, with the new highways college in West Anglia being opened to give up to 200 local people the skills needed to get the road built. After the road opens, it will help to connect residents to employment opportunities. Having outlined the key strategic reasons for the scheme, I am pleased to report that Highways England is making good progress—about 50% is complete—and is on target to meet an open-for-traffic date in 2020. That is with the investment of £1.5 billion.

Let me turn to the specific subject of this debate. The hon. Gentleman has concerns that traffic diversions during the construction of the road are increasing noise and pollution for residents on and off the official diversion routes. I assure him that the Government and Highways England are committed to ensuring that the delivery of the scheme causes the minimum inconvenience to local residents. I believe that from September there will be a step change in diversions, which will lead to improvements.

The issue of lorries and other vehicles not following the recommended road diversions was raised, and Highways England has been working hard to develop measures that will help to reduce these impacts and encourage more drivers to use the preferred diversion routes. Highways England is working closely with Cambridgeshire County Council and partner organisations to minimise the impacts as much as possible. When closures are in place on the A14 between junction 36 at Nine Mile Hill and junction 31 at Girton, the strategic diversion route directs traffic south of Cambridge to use the M11, A505 and A11—those are two sides of a triangle. However, alternative routes are required for non-motorway traffic and for traffic travelling to local destinations when the strategic diversion would not be considered acceptable. Those routes take traffic further into and around Cambridge city centre and include Kings Hedges Road, Newmarket Road and Milton Road.

Highways England has no powers to prevent road users, including those in HGVs, from taking other routes that they have a legal right to access as an alternative to the official strategic diversion route. Highways England is working proactively to encourage strategic traffic to follow the official diversion route, including by giving weekly briefings to regional media, parish councils and local organisations, as well as through posts on social media.

Highways England is working closely with all agencies. The dialogue commenced during the development consent order process, as part of which diversion routes were discussed and agreed. A project team meets the police and local authority at least once a month to discuss traffic management. There are more than 40 road signs, with some including instructions not to follow sat-nav systems, and up to 13 mobile variable-messaging signs. Overhead signs are in use further afield on the strategic road network.

The A14 project team is working with the Road Haulage Association and Freight Transport Association so that diversion information can be shared with their members. Highways England is working with Cambridgeshire County Council to implement speed signs and HGV counters to assess the additional numbers of HGVs that are using key routes when the A14 is closed. Cambridgeshire police is aware of the issues being raised and has agreed to check for non-compliance with speed or weight restrictions at key sensitive locations.

The hon. Gentleman asked about data. I assure him that the project team volunteered to introduce measures to tackle the magnitude of the problem. Between 20 June and 12 July, traffic counters recorded between four and 21 lorries per night above the normal levels experienced when road diversions are not in place. The data will be shared publicly on a weekly basis. The hon. Gentleman should have received an email update; if he did not, I will work with the Department to ensure that he receives weekly updates on the data, which he can share, should he wish.

In conclusion, I reaffirm the Government’s commitment to delivering the A14 upgrade on time and within budget. We must ensure that the delivery of such major road schemes puts local stakeholders’ concerns at the forefront of our work. I am confident that Highways England will deliver a scheme that meets the needs of strategic road network users and will minimise the disruption to local people.

Question put and agreed to.

5.16 pm

House adjourned.
Oral Answers to Questions

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

The Secretary of State was asked—

Homelessness

1. **Kevin Foster** (Torbay) (Con): What steps his Department is taking to reduce homelessness. [906570]

**The Secretary of State for Housing, Communities and Local Government (James Brokenshire):** Tackling homelessness is a key Government priority, and we are spending more than £1.2 billion through to 2020, including committing more than £2 million of funding to Torbay. We are also committing a further £279,000 this year through the rough sleeping initiative. We will announce more on the rough sleeping strategy shortly.

**Kevin Foster:** I thank my right hon. Friend. Friend for his answer. Work supported by his Department to look at ways to end street homelessness has produced a recommendation that Torbay should adopt a Housing First approach. Is he happy to meet me to discuss whether Torbay could be the next pilot area for such an approach, which has already happened in three major urban areas?

**James Brokenshire:** I am sure the Minister for homelessness, my hon. Friend the Member for Selby and Ainsty (Nigel Adams), would be happy to meet my hon. Friend to discuss the matter further, but, as he highlights, the Government are supportive of the Housing First approach and are investing £28 million in a large-scale pilot in three main regions of England.

**Ellie Reeves** (Lewisham West and Penge) (Lab): Latest departmental figures show that 6% of rough sleepers in London are aged between 18 and 25 and that more than 120,000 children are living in temporary accommodation in England. Young people are suffering as a result of the Tory housing crisis. Why does the Secretary of State think that the number of homeless children fell under Labour, but has risen under the Tories?

**James Brokenshire:** This Government are committed to tackling homelessness. That is why we have committed £1.2 billion to do so, pledged to end rough sleeping by 2027 and changed the law so that councils can place families in private rented accommodation. That is action by this Government to deal with this important issue.

**Will Quince** (Colchester) (Con): I very much welcome the £28 million to trial or pilot Housing First and the £192,000 to my local authority for a micro-Housing First project. Given that we know this approach works, in particular for rough sleepers with very complex needs, what steps can my right hon. Friend take to accelerate the roll-out across the United Kingdom?

**James Brokenshire:** I commend my hon. Friend for his work on the all-party parliamentary group for this important issue. As he highlights, we are piloting in three areas, but we are reflecting carefully on the issue of complexity and the challenges that those who are rough sleeping face in getting accommodation, and we will propose further measures as we bring forward our rough sleeping strategy.

**Mr Chris Leslie** (Nottingham East) (Lab/Co-op): The Secretary of State has to do so much more, especially on the rough sleeping crisis. We see that in particular in the warmer weather, and it is very visible in all our cities, including in Nottingham city centre. The issue is particularly related to the massive fall in the number of mental health overnight beds, with 6,000 fewer than in 2010. Will he give a commitment to speak about this with his opposite number at the Department of Health and Social Care?

**James Brokenshire:** The hon. Gentleman will welcome the £420,000 committed to Nottingham through the rough sleeping initiative, which underlines the practical steps we are taking, including the £30 million that has been committed. We will bring forward further proposals through the rough sleeping strategy. He is right that this is an important issue: this Government take it seriously, and I take it seriously personally. That is why my first visit as Secretary of State was to a rough sleeping charity and I take it seriously personally. That is why my first visit as Secretary of State was to a rough sleeping charity to see the work it is doing. We will be coming forward with more work.

**Michael Fabricant** (Lichfield) (Con): My right hon. Friend’s immediate predecessor was very familiar with the work being undertaken by the Mayor of the West Midlands to eliminate rough sleeping and homelessness. Will my right hon. Friend pick up the reins and visit Andy Street to see what the west midlands is doing on that?

**James Brokenshire:** That first visit that I referred to was to the west midlands, where I met Andy Street to see some of the very good practical work taking place in Birmingham, and I commend that work. Equally, I commend some of the work we are doing around the west midlands through the Housing First pilots.

**Alison Thewliss** (Glasgow Central) (SNP): Shelter England said this morning that 33,000 people living in temporary accommodation in England are in work, which is up 73% since 2013. Shelter believes that that is down to expensive private lets, the housing benefit freeze and a chronic lack of social housing. How does the Secretary of State respond to that?

**James Brokenshire:** I agree with the hon. Lady. Lady that everyone deserves a safe and decent place to live, and we are providing more than £1.2 billion so that all those left homeless get the support they need, but the broader issue she raises on social and affordable housing is...
germane. That is why the Government have increased the funding around that. There is now up to £9 billion to deal with affordable homes.

**Alison Thewliss**: The Secretary of State missed the point entirely, which was about people who are working but unable to afford accommodation and a roof over their head. Is it not the case that under this Government work no longer pays?

**James Brokenshire**: No. As I have already highlighted, I recognise the issues of supply and of affordability. That is why we have invested more heavily in this and, indeed, given councils additional borrowing flexibilities of about £1 billion in England. Yes, of course, we recognise the challenge, and that is why this Government are responding.

**New Homes**

2. **Mrs Kemi Badenoch** (Saffron Walden) (Con): What recent assessment he has made of his Department’s progress on delivering more new homes. [906571]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): In 2016-17, we added 217,000 homes to the housing stock in England—the highest level in all but one of the past 30 years. We have set out an ambitious package of reforms to create a housing market that delivers 300,000 homes a year on average by the mid-2020s.

**Mrs Badenoch**: I thank the Secretary of State for that answer. A recent report by the think-tank Onward proposes that more of the land value created by housing development needs to be captured for the community, not just by developers. Does he agree?

**James Brokenshire**: My hon. Friend makes an important point in that developers should be held to account on, for example, delivering their commitments on infrastructure and affordable homes for communities. That is why we are proposing a new approach to viability assessments in the revised national planning policy framework, and we have consulted on further reforms to developer contributions.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): May I help the Secretary of State? The fact is that every part of the country is not like Maidenhead. May I tell him that if we want new homes for people in this country who do not have a home, we need homes that are the right homes for the right people? We need social housing and housing for the elderly. We do not just want a large number of houses built in places such as Maidenhead; we need them in real towns and cities up and down this country.

**James Brokenshire**: I agree with the broad thrust of what the hon. Gentleman highlights about the range of homes that our country needs. Indeed, our ambition is to deliver 300,000 homes by the mid-2020s, looking at all the different sectors of our communities, and we have been consulting on that in the national planning policy framework to help to deliver it.

21. **Sir Desmond Swayne** (New Forest West) (Con): How can we speed up planning without offending against the proper discretion of planning authorities?

**James Brokenshire**: If my right hon. Friend looks at the draft national planning policy framework, he will see that it is about plan policy: setting the high-level objectives and then allowing local areas to form their plans. I hope that when he sees the final NPPF he will recognise that.

**Catherine West** (Hornsey and Wood Green) (Lab): While the new homes are being built, will the Department consider looking at a requirement on all local authorities to place families within a reasonable distance of schools, as so many children in temporary accommodation are travelling for over two hours to get to their schools?

**James Brokenshire**: I acknowledge the broad point that the hon. Lady highlights. That is why we are very firmly committed to providing infrastructure around new homes, and schools are very firmly a part of that.

**Mr Mark Prisk** (Hertford and Stortford) (Con): Further to that question, in east Hertfordshire we recognise the need for more homes, but they must be matched by additional investment in infrastructure and public services. What are the Government doing to make sure that this investment in these vital services is directed to areas where housing development will be at its greatest?

**James Brokenshire**: As my hon. Friend will know, the Government have provided a £5 billion housing infrastructure fund to ensure that more homes mean better, not more stretched, local infrastructure. The draft national planning policy framework does make it clear that local authorities should ensure that the necessary infrastructure supports developments that they approve.

**John Healey** (Wentworth and Dearne) (Lab): So many people’s dream of buying their own home has been dashed, yet the number of new low-cost homes built for first-time buyers has halved since 2010. Why?

**James Brokenshire**: I would say to the right hon. Gentleman that we are dealing with what has been a broken housing market—something that has existed over many years, with that lack of investment—which is why this Government are committed to investing £44 billion on the home building agenda in the coming years. That is about transforming life chances, and actually delivering the homes that our country needs and such opportunities for generations to come.

**John Healey**: This Government have had more than eight years to do the job, and what they are doing is not working. Home ownership rose under Labour, but has now hit a 30-year low under the Conservatives. We cannot just stoke prices with tax cuts and home-buy loans; we need to build more low-cost homes to make home ownership more affordable. More than three years on from the Government promising 200,000 cut-price starter homes, why is the total number so far built zero?

**James Brokenshire**: Last year, we saw the homes that are being delivered at a high, and that has not been any greater, other than in one year, over the last 30 years.
The right hon. Gentleman glosses over Labour’s record, but what did we see when Labour was in power? House building—down by 45%. Homes bought and sold—down by 40%. Social housing—down by 400,000. However, there was one thing that kept going up: the number of people on the social housing waiting list. It is this Government who are determined to deliver.

Planning Viability Assessments: Council Houses

3. Neil Coyle (Bermondsey and Old Southwark) (Lab): What assessment his Department has made of the effect of the use of planning viability assessments on the number of council houses being built.

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Local authorities have built 12,340 dwellings since 2010, up from 2,920 over the previous 13 years. However, we recognise that viability assessments can be used to reduce contributions towards affordable housing. That is why we are introducing a new approach to viability, through changes in the national planning policy framework.

Neil Coyle: The current framework means that last year the number of affordable homes provided under section 106 agreements was only half the 32,000 peak in Labour’s last year in office. Despite that, Southwark’s Labour council has built 535 council homes in just four years, with over 1,000 more in the pipeline. However, the waiting list is 11,000, so will the Minister tell us whether right to buy will now be banned for those seeking not a home to live in, but a cash cow to rent out? Will he also say how the imminent Green Paper will empower Southwark to build the genuinely affordable council homes that local people need?

James Brokenshire: The right to buy has been a powerful and important initiative in ensuring that people have places that they can call their home. We will set out an approach in the new NPPF that will reduce delays from the use of viability assessments to negotiate developer contributions by front-loading that. The Government are taking steps to speed up home delivery, which is something the hon. Gentleman should welcome.

Sir Nicholas Soames (Mid Sussex) (Con): Does my right hon. Friend highlight about the importance of design and style to ensuring that we create homes for the future that we can be proud of. This is something that we are considering carefully as we finalise the national planning policy framework. We will publish that shortly, and I hope he will see that in the final version.

Sarah Jones (Croydon Central) (Lab): At a time of national housing crisis, as developers continue to exploit the viability loophole, a staggeringly small 2.5% of homes completed last year were for social rent—the lowest number since the second world war. The Government continue to disregard this place, particularly on housing, in failing to deliver the revised NPPF, along with a raft of other documents promised before the recess. Thousands of people who desperately need social housing are being abandoned, as this Government entirely pull out of social housing, so will the Secretary of State tell us whether he will change his draft NPPF explicitly to include social rented homes in the official definition of affordable housing? If he will not, any warm words of support for social housing will ring hollow.

James Brokenshire: I entirely reject the hon. Lady’s characterisation of the Government’s approach to dealing with affordable homes and social housing. She will see that from the funds that we have committed to secure for the homes agenda. Under this Government, we have seen 1.1 million additional homes delivered since April 2010. Over 378,000 of those are affordable homes, including 273,000 affordable homes for rent. This Government are delivering and we will continue to do so.

Children in Temporary Accommodation

4. Danielle Rowley (Midlothian) (Lab): What recent estimate he has made of the number of children in temporary accommodation.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): Temporary accommodation provides an important safety net and ensures that no child is left without a home. In 2011, we changed the law so that councils can place families in decent and affordable private rented homes. This now means that homeless households should not have to wait as long for settled accommodation and should spend less time in temporary accommodation.

Danielle Rowley: A constituent of mine is living in temporary accommodation with her children, aged two and seven, opposite a nightclub. The noise keeps her children scared and awake at night. Shelter Scotland says that 13% of homeless households spend over a year in temporary accommodation, and that those with children tend to spend more time in temporary accommodation than those without. What does the Minister think the long-term impact is on children who spend a long time in temporary accommodation?

Nigel Adams: First, I acknowledge the work the hon. Lady did before coming to the House, working for Shelter Scotland, which is an organisation we work with very closely on wider homelessness, most recently on our rough sleeping strategy. We acknowledge there has been an increase—a 2% rise in the latest figures to March 2018. No one wants to be in temporary accommodation too long, especially children. However, there are good examples of local authorities leading the way in ensuring families spend less time in temporary accommodation. One such example is Barnet Council, whose targeted approach to support has seen the number of children in temporary accommodation reduce by 11%.
Nigel Adams: We are committing an enormous amount of money—£1.2 billion over the spending period—and we expect local authorities to follow the example of councils such as Barnet, which has managed to achieve that reduction. I encourage the hon. Gentleman to talk to his local authority and perhaps to approach Barnet to see an example of best practice.

Bob Blackman (Harrow East) (Con): Local authorities are ignoring circulars from the Department and housing children in temporary accommodation many miles from their place of education. What can my hon. Friend do to enforce circulars and make councils take into account educational requirements when housing children and their families?

Nigel Adams: My hon. Friend makes a superb point. I can be absolutely clear from the Dispatch Box that local authorities must take account of circulars. It does seem nonsensical that councils are taking this approach. Youngsters are being taken away from their local areas and their schooling is being affected.

Leasehold System

5. Gillian Keegan (Chichester) (Con): What steps his Department is taking to tackle unfair practices in the leasehold system.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): The Government want the leasehold system to be fair and transparent so that a person feels their home is their own. We will legislate to ban the sale of new leasehold houses and to reduce ground rents to a peppercorn as soon as parliamentary time allows.

Gillian Keegan: I thank the Minister for his answer. This Parliament and this Government are the first in over 15 years to seek justice and to offer the prospect of help to vulnerable residential leaseholders. Action is welcome on fair terms for new leases and to promote commonhold. However, how and when will there be beneficial steps for current leaseholders, including the many in retirement who suffer a reduction in capital values because of high event fee charges?

Nigel Adams: My hon. Friend raises a very important issue. I congratulate her on her work, with her colleagues, on an ongoing campaign in this area, not least via the all-party group on leasehold and commonhold reform. We will shortly announce our response to the Law Commission report on tackling event fees to help those in retirement housing. The Law Commission will also consult on how we can make it easier and cheaper for existing leaseholders to buy their freehold or extend their lease.

Ruth Cadbury (Brentford and Isleworth) (Lab): I, too, welcome the Law Commission report, because for too long leaseholders have been dealt a very, very poor hand. When looking at the report and developing a response, will the Government for once put leaseholders at the front of their mind, rather than the freeholders who only seem to rip off leaseholders?

Nigel Adams: The hon. Lady makes a very good point. We also welcome the Law Commission proposals, which include recommendations to ensure that we make leaseholds cheaper and fairer. The Government will continue to work with the Law Commission to ensure that this practice continues and we get a better outcome for leaseholders.

Sir Peter Bottomley (Worthing West) (Con): I speak as a contented leaseholder in my constituency. Following the question from my hon. Friend the Member for Chichester (Gillian Keegan), will the Minister say when we might expect private leaseholders in tower blocks to hear that the cladding problems are going to be paid for by the developers, insurers or others, and not by them? They are always told that they are tenants and yet have to carry all the costs for everything.

Nigel Adams: My hon. Friend raises an absolutely important issue. Leaseholders are facing massive bills over cladding following Grenfell. Families are going to lose their homes and are faced with enormous bills; we should be helping them and are determined to do so. In the private sector, remediation costs will fall naturally to the freeholder. Where they do not, we have urged those with responsibility to follow the lead from the social sector, and private companies are already beginning to do the right thing. They should not be passing on these costs to leaseholders.

Justin Madders (Ellesmere Port and Neston) (Lab): In response to my written questions, various Ministers in the Department have confirmed that the majority of developers have agreed not to use Help to Buy loans to finance the purchase of leasehold properties in future. However, they have admitted that not all developers have agreed to do that, so what are the Government going to do to stop any taxpayers’ money being used in this way?

Nigel Adams: Of course, certain contractual obligations are already in train. We have made it absolutely clear that no more public money will be used in such a way.

New Homes for Social Rent

6. Fiona Onasanya (Peterborough) (Lab): What recent assessment he has made of trends in the level of new homes available for social rent since 2010.

The Minister for Housing (Kit Malthouse): Since 2010, we have delivered over 378,000 new affordable homes, including 129,000 for social rent. We are investing over £9 billion in the affordable homes programme to deliver over a quarter of a million new affordable homes, including at least a further 12,500 for social rent.

Fiona Onasanya: In the Housing Secretary’s council area of Bexley, 270 social rented homes were built in 2010, but not a single one was built last year. There is a housing crisis in his area, just as there is in Peterborough and across the country, so would it not be better for his constituents and mine if he reversed the huge funding cuts that this Government have made to social housing?
Kit Malthouse: I do not know if the hon. Lady heard my initial answer to her question; I pointed out the enormous amounts of money that are being invested in the provision of affordable homes. Pleasingly, the area that she represents has responded with some alacrity, putting in place some significantly ambitious targets—100,000 new homes over the next 20 years, of which 40,000 will be affordable. It is to be congratulated on doing so. She is right, though, that there is some pressure to be brought to bear particularly on councils to bid into the extra borrowing allowance that we have made available to them for the provision of social rent. I will meet them at my earliest opportunity to understand when and why they will do so.

Rachel Maclean (Redditch) (Con): Between 2012 and 2017, Labour-controlled Redditch Borough Council failed to build a single home for social rent. Does the Minister therefore welcome Conservative-controlled Redditch Borough Council’s intention to build more homes for social rent, because we believe that everyone should have a decent home of their own, whatever their income or background?

Kit Malthouse: I am sure that there are many in Redditch who breathe a sigh of relief that the Conservatives are in control of that particular part of the country, championed by such a wonderful Member of Parliament. My hon. Friend is absolutely right: it is still the case that more affordable homes have been delivered in the last seven years than were delivered in the last seven years of the previous Labour Government.

National Trust Housing Stock

7. Siobhain McDonagh (Mitcham and Morden) (Lab): If he will meet the National Trust to discuss the potential effect on levels of housing need in local authority areas of that trust’s proposals to increase rents to market levels on all its housing stock; and if he will make a statement.

The Minister for Housing (Kit Malthouse): I will be more than happy—in fact, it would be a pleasure—to meet the National Trust.

Siobhain McDonagh: My constituent, Maria Bentley-Dingwall, has lived in her rented National Trust property for the last 12 years. She pays rent of £850. This is now going to increase to £1,450 per calendar month, which will be considerably in excess of the local housing allowance. As she is a disabled person, when she is eventually evicted for rent arrears, she will become the responsibility of the local authority, quite apart from the personal distress that that will cause her. Does the Minister agree that he should intervene with the National Trust to find out what it is doing and that, as a much loved body, it has a greater responsibility than tearing out the maximum amount of rent from its properties?

Kit Malthouse: The hon. Lady makes a strong case for her constituent, as we would expect, and as I say, I would be more than happy to meet the National Trust. I know that it is reviewing its property policies generally and has decided to overcome the problems created by the modern ground rent regulations that are affecting many of its tenants. It is, however, a charity and it has to balance its legal obligation to maximise its income against its charitable obligation to those it cares for.

Sir Hugo Swire (East Devon) (Con): Earlier this year I met the Charity Commissioners to discuss the issue of ground rents and the National Trust on the Killerton estate, a National Trust property in my constituency. I am very pleased that the National Trust has agreed not to increase the ground rent of long-standing tenants, but I hear what my hon. Friend says about it. I am a member of the trust, which is, as it has just been described, a much-loved body. Does my hon. Friend—another much-loved body—agree that he should meet its representatives and encourage them to meet Members with National Trust properties in their constituencies to discuss how the trust can be a better neighbour and companion and conform with the Government’s housing agenda in the future?

Kit Malthouse: I have absolutely no doubt that the National Trust’s shifting its position on modern ground rent was due to the pressure exerted and the highlighting of the issue by many Members, not least my right hon. Friend himself, on behalf of his constituents. As I have said, I should be more than happy to meet representatives of that august body and discuss its property policies generally.

Public Services: Local Authority Funding

8. Chi Onwurah (Newcastle upon Tyne Central) (Lab): What assessment he has made of the viability of local authority funding for the maintenance of acceptable levels of public services. [906578]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): Our local government finance settlement will increase resources for local government over the next two years because we recognise the pressures on local services, but it is right for decisions about funding priorities for individual local services to be made by local area representatives.

Chi Onwurah: The Cabinet has followed your example by visiting Newcastle today, Mr Speaker, but rather than giving its members the welcome that they deserve, I came here to hear the Minister’s totally out-of-touch answer. Central Government funding for Newcastle has halved since 2010. The number of looked-after children has increased by a fifth since 2014, and the number of vulnerable adults has risen by the same proportion in the last year alone. Given a funding gap of £300 million in 2020 just to keep services running, how does the Minister think Newcastle can deliver good public services?

Rishi Sunak: As we have discussed before, the hon. Lady’s local authority actually receives more funding per household than the average local authority similar to hers. Today of all days, I was hoping that she would welcome the meeting of the Cabinet in her area, the extra £1 billion for the northern powerhouse, and the continuing success of the Great Exhibition of the North, chaired admirably by my constituent Sir Gary Verity. In her area, the sun is shining, the visitors are pouring in, and the local economy is booming. It is a good time to be in the north-east, and that is being delivered by a Conservative Government.

Mr Speaker: I hope that one of those Ministers, in the course of this away day—which I am sure is a meeting of the utmost importance—will take the time to visit Newcastle University, which is a most admirable
institution. They could benefit greatly from a visit. I mean that the Ministers could benefit, as much as the university.

Neil O’Brien (Harborough) (Con): I welcome the Government’s commitment to a fair funding formula, and I thank the Minister for meeting me and representatives of Leicestershire County Council. Will he confirm that the review that is under way will look at the balance of funding between districts and counties? After all, it is the counties that are bearing the burden of a growing older population and the growing burdens on children’s social services.

Rishi Sunak: I can confirm that I have met representatives of my hon. Friend’s council regularly to discuss this topic, including just the other week at the local government conference. We received more than 300 submissions to the recent consultation on fair funding. That is one of the topics raised, and the Department is considering all responses with a view to replying later this year.

Mr Clive Betts (Sheffield South East) (Lab): There is a great deal of concern in local government about the financial cliff edge that is facing a number of authorities. The Public Accounts Committee recently asked the Department to do two things: to explain by the end of September why it believes that local authorities are sustainable in the current spending round; and to agree with local authorities within 12 months a definition of financial sustainability and a methodology for assessing risk. Those are both important requests. Will the Minister ensure that his Department complies with them?

Rishi Sunak: I thank the Chair of the Housing, Communities Local Government Committee for his question. As he knows, the Department is considering the Public Accounts Committee’s report as we speak. As for his broader question, the Department is constantly evaluating local government sustainability, and in the upcoming meetings, and ahead of the spending review, the topics that he has raised will of course be closely scrutinised.

Sir Vince Cable (Twickenham) (LD): How does the Minister justify an emerging system of negative rate support grants under which councils that have made themselves financially self-sufficient are now being told to make net contributions to the Government?

Rishi Sunak: I am pleased to tell the right hon. Gentleman that the Government will be launching their consultation on negative RSG very shortly, and I look forward to his contribution.

Andrew Gwynne (Denton and Reddish) (Lab): Last week the Municipal Journal reported the Minister as saying that councils will be unhappy with the outcome of the fair funding review, so can he clarify just how unfair his review is likely to be and which types of council will be hardest hit?

Rishi Sunak: What I can confirm is that the fair funding review will be a bottom-up fresh look at how we fund local government in this country. It is long overdue, as the current formula is 10 years out of date with over 120 different indicators. It is right that that formula is fair, transparent and objective, and I am sure all councils will have a fair crack at persuading me of their case.

Mr Speaker: I am very glad that the Minister is in such a good mood; he really is a very cheery, upbeat fellow who positively exudes optimism about all things and all around him. We are delighted to see him.

Andrew Gwynne: But it will not wash, Mr Speaker. The Tory-led Local Government Association is warning that the funding gap for councils is now due to grow to £8 billion and the Public Accounts Committee has damned the financial capability of the Ministry to sort this mess. With Northamptonshire the first broken shire and other local authorities of all types teetering on the cliff edge, when, rather than managing down expectations about fair funding, is the Minister going to stand up for the sector and demand the resources our public services so desperately need?

Rishi Sunak: If the hon. Gentleman had been at the local government conference just the other week he would have heard my right hon. Friend the Secretary of State describe to the sector exactly what this Government are doing to support them. We acknowledge the pressures on local government over the past few years; they have done a commendable job of maintaining high-quality public services in a difficult environment, and we will ensure that they continue to get the backing they need from this Government to deliver for all our local communities.

New Housing: Leasehold

9. Ruth George (High Peak) (Lab): What is the timetable for his Department bringing forward proposals to prevent the sale of new houses by leasehold.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): The Government cannot see any good reason for new-build leasehold houses other than in exceptional circumstances. Earlier this month the Secretary of State announced that no new Government money will fund them. We intend to consult over the summer on how a ban on new leasehold houses will be implemented.

Ruth George: Last year the then Secretary of State promised that by the summer the Government would make concrete proposals for banning the sale of new leasehold homes, yet they are still being sold in my constituency. The buyers thereof are unable to sell their homes and are also unable to afford to buy out their freehold at the extortionate rates being demanded by the freeholders. How and when will the Government fix this?

Nigel Adams: The hon. Lady raises an important point, and that is why we are acting: we are introducing legislation to stop the development of new-build leasehold houses and will restrict ground rent to a peppercorn. We are also planning to fix the loopholes in the law, to increase transparency.

Chris Green (Bolton West) (Con): With more problem leaseholds being sold, what is my hon. Friend doing to determine the scale of the problem and inform householders of that problem?
Nigel Adams: That was why I mentioned the issue of transparency. It is very important that leaseholders get as much information as is practically possible. We are currently working with the Law Commission on how best to support current leaseholders because we want to make buying a freehold easier for people going forward, but we also want to ensure that those with leases are helped out.

New Homes

10. Lee Rowley (North East Derbyshire) (Con): What steps his Department is taking to reduce the time taken to build new homes. [906580]

18. Mary Robinson (Cheadle) (Con): What steps his Department is taking to reduce the time taken to build new homes. [906590]

The Minister for Housing (Kit Malthouse): New homes should be built out as soon as possible once planning permission is granted, and under this Government net additional dwellings are at their highest since 2007-08. We are building on progress made so far by revising the national planning policy framework and diversifying the market to increase the pace of development, and I have commissioned my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) to lead a review of build-out rates.

Lee Rowley: One of the councils in my area has been without a local plan since 2005 and is currently consulting on a draft plan that over-inflates housing need and unnecessarily builds on the green belt. Does my hon. Friend agree that one way to speed up house building is to put in place local plans that have the confidence of local people?

Kit Malthouse: My hon. Friend fights hard for his constituents’ interests, as he does at all times. He is right to say that a local plan is vital not only to progress housing in an area but to protect residents from the predations of speculative developers. I find it astonishing that authorities can be so dilatory in producing such plans.

Mary Robinson: Does my hon. Friend agree that it is essential that we build the homes that the country needs, and that we build the right homes in the right places, which means protecting the green belt and investing in the infrastructure that we need to accommodate those homes?

Kit Malthouse: With her usual perspicacity, my hon. Friend has put her finger on the button and enunciated the cocktails required for successful development, with the omission of one, which my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) mentioned—namely, design. If we can put all those things together, we will create the houses that people need.

Mr Speaker: I think the right hon. Member for Mid Sussex enjoyed the reference to cocktails.

Sir Nicholas Soames (Mid Sussex) (Con): I did, Sir.

Mr Speaker: And that is demonstrably apparent.

Alex Norris (Nottingham North) (Lab/Co-op): The building of new homes is being choked off in Nottingham by the refusal of the Department to remove the cap on the housing revenue account. I put this to Ministers on 12 March, and was told that if Nottingham stepped up and made a strong case, it would be looked upon favourably. Such a case has been made, but it has not been looked upon favourably. Why not?

Kit Malthouse: As a person who is new in post, I am happy to look at the specifics of that matter, but we have obviously given an extra £1 billion of funding to local authorities to bid into, and we are inviting bids at the moment for housing revenue account expansion. I would also point out that, across the whole piece, local authorities already have about £3.6 billion of headroom, and I am at a loss to understand why they are not using it.

Clive Efford (Eltham) (Lab): The people who come into my surgery are looking for social rented housing, and we need to speed up the building of those homes. This Government inherited a £4 billion social housing building programme, but the Chartered Institute of Housing says that that has now gone down to less than £500 million, which represents a cut of nearly 90%. How does the Minister intend to increase the supply of social housing that people in my constituency so desperately need?

Kit Malthouse: We are committed to a vibrant housing market with tenures of all types, and for all types of people. In particular, we have emphasised that housing for social rent should be an area of growth. As was stated in an earlier answer, we are targeting a further 12,500 social rent housing for provision in the next few years, but if the hon. Gentleman has any ideas about where, when and who I need to push, prod or harass in order to build more, I will be more than happy to do that.

Local Government Funding Allocation

11. Nigel Mills (Amber Valley) (Con): What steps his Department is taking to ensure fairness in the allocation of funding to local government. [906583]

14. Peter Aldous (Waveney) (Con): What steps his Department is taking to ensure fairness in the allocation of funding to local government. [906586]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): We are undertaking a fair funding review of local authorities’ relative needs and resources to address concerns about the fairness of the current system, and I am pleased to say that we are making good progress in collaboration with the sector in order to introduce a simple, fair and transparent funding formula.

Nigel Mills: Councils across Derbyshire have suffered under the previous funding formula, and I welcome the consultation and the fact that Derbyshire is one of the business rate retention pilots. Does my hon. Friend agree that local councils could achieve a double whammy by encouraging local growth and creating more jobs, and also by raising their own funds through the increased business rates?
Rishi Sunak: It is refreshing to hear my hon. Friend talk about growth in the context of local government funding. Economic growth is the only sustainable way to ensure the vibrancy of our local communities and to raise the vital money that we need to fund our services. I am delighted to tell him that the Government are committed to implementing further retention of business rates, so that his local authority, like all others, will have both an incentive and a reward when they drive growth in their local areas.

Peter Aldous: I am grateful to the Minister for those replies, but recent work by the County Councils Network has found that, despite additional funding provided to the last funding settlement at the beginning of the year, county areas including Suffolk will face £3.2 billion-worth of funding pressures by 2020. What can the Government do, in advance of the fair funding and comprehensive spending reviews, to ensure that councils are able to meet the essential needs of their residents?

Rishi Sunak: I pay tribute to my hon. Friend on representing counties in this place, and I am delighted to have met him to discuss this topic on multiple occasions. I agree with him that county councils have done a tremendous job of maintaining services in this climate. I recognise the pressures that he identifies, and I can confirm to him that, in the short term, the Government will soon be publishing a technical consultation for local government finance in the upcoming settlement. As I said to the right hon. Member for Twickenham (Sir Vince Cable), we will be including a consultation on the issue of negative revenue support grant, and I can also confirm that there will be a new round of business rate retention pilots.

Lilian Greenwood (Nottingham South) (Lab): Since early 2015, the Government’s troubled families programme has contributed funding to help with early support and preventive support for priority families in Nottingham, which is vital given the high levels of deprivation and the pressures on children’s services in our society. By intervening early, family support workers have helped to tackle crime and antisocial behaviour, helped parents to get back into work and reduced the need for care proceedings. Will the Minister meet me and my hon. Friends the Members for Nottingham East (Mr Leslie) and for Nottingham North (Alex Norris) to discuss his plans to support councils working with families when the programme funding ends in 2020?

Rishi Sunak: I thank the hon. Lady for her question, and I completely agree with her on the importance of this vital programme, especially with regard to prevention work. I am pleased to say that recent reports show that the incidence of children on the programme has declined by 13% as a result of intervention work by councils such as hers, and I would be delighted to meet them to learn what they are doing on the ground.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): What assessment has the Minister made of the length of time it takes to reach a decision on business improvement district appeals, such as that of the Harborne BID in my constituency?

Rishi Sunak: Like the hon. Lady, this Government believe that business improvement districts can be a fantastic asset for local businesses to ensure that their area remains a vibrant place to trade. She has strongly supported the application from her area, and I am pleased to tell her that a reply will be sent to her imminently after questions.

Support for Local Government

13. Giles Watling (Clacton) (Con): What recent assessment he has made of the effectiveness of his Department’s support for local government. [906585]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): Over the spending review period, councils have received more than £200 billion for local services, and the 2018-19 settlement sees an increase in resources to local government over the next two years, increasing to £45.6 billion in 2019-20.

Giles Watling: I thank my hon. Friend for that answer, but can he set out how his Department will support local councils to regenerate valuable coastal communities such as Clacton, which is positively Caribbean at the moment?

Rishi Sunak: I am pleased to say that the Government have spent £174 million through a fund to support local communities over the past few years. I pay tribute to the great progress made by the Jaywick Sands coastal community team in my hon. Friend’s constituency in bringing forward its proposal for a new coastal village. He has been intimately involved with that proposal, which is a model for others to follow.

Wera Hobhouse (Bath) (LD): Local councils, including Bath and North East Somerset Council, are facing a funding gap of £2.2 billion for adult social care. What measures is the Department taking to incentivise preventative services to reduce the burden of adult social care on councils such as ours?

Rishi Sunak: Work between the NHS and local authorities through the better care fund is addressing the issue that the hon. Lady mentions. I am pleased to say that the most recent statistic shows a 37% fall in delayed transfers of care relating to social care, which shows that the approach we are taking is working, and local authorities should be commended for delivering that.

Social Care Funding

15. Mohammad Yasin (Bedford) (Lab): What recent discussions he has had with the Secretary of State for Health and Social Care on the allocation of NHS funding for social care. [906587]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): The Secretary of State for Housing, Communities and Local Government has many conversations with the Secretary of State for Health and Social Care, and most recently they have been discussing the fact that effectively targeted
NHS spend can reduce the need for social care, just as effectively targeted social care spending can reduce pressures on the NHS.

Mohammad Yasin: Bedford Borough Council has the country’s lowest rate of delayed transfers of care. Instead of being congratulated, the council has been told that it will now be penalised if it fails to meet zero delays, when other authorities have much more generous allowances. Does the Minister agree that he should be supporting Bedford Borough Council to be the best in the country, instead of making that as difficult as possible through the delays in funding and the unfair targets?

Rishi Sunak: I am happy to look into the specific issue that the hon. Gentleman mentions, but I join him in paying tribute to the work that has led to Bedford delivering a fantastic performance on delayed transfers of care.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): Does my hon. Friend agree that it is essential that both local authorities and the health service work more closely together to provide a seamless combined service? That requires a change in culture at local level, similar to the one in Gloucestershire, where we have an excellent joint commissioning board.

Rishi Sunak: My hon. Friend is right about that and right to highlight the work of his local authority, which is a pioneer in collaborating more closely with the local NHS. That is showing tremendous results on the ground in reducing delayed transfers of care, which are stopping people from getting into the NHS in the first place. I hope that others can learn from Gloucestershire’s example.

Homelessness

16. Christian Matheson (City of Chester) (Lab): What assessment he has made of trends in homelessness since 2010. [906588]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): This Government are serious about tackling homelessness, which is why we have allocated more than £1.2 billion to tackle homelessness to 2020. We have implemented the most ambitious legislative reform in decades: the Homelessness Reduction Act 2017. We have also committed to halving rough sleeping by 2022 and to ending it by 2027, and we will shortly be publishing a strategy that sets out our plans to do that.

Christian Matheson: Homelessness has doubled nationally since 2010, but the increase is greater in the north-west. Why is that?

Nigel Adams: I know how seriously the hon. Gentleman takes this issue, and I am very encouraged by the work he is doing collaboratively with his local authority and organisations such as Chester Aid to the Homeless and Share. They will welcome, as I am sure he does, the £1.15 million that has been recently provided to help on this issue. Like me, he will be encouraged by the latest figures, which show a 9% fall nationally in statutory homelessness acceptances in the past year.

First-time Buyers

17. Robert Courts (Witney) (Con): What assessment he has made of the effect of the Help to Buy scheme and the reduction in stamp duty on the number of homes purchased by first-time buyers. [906589]

The Minister for Housing (Kit Malthouse): A total of 128,317 first-time buyer households have purchased a home through a Help to Buy equity loan from its launch in April 2013 to December 2017. Some 69,000 first-time buyers have benefited from stamp duty relief between its introduction in the autumn Budget 2017 and the end of March 2018.

Robert Courts: One of the greatest concerns raised by young people in West Oxfordshire is whether they will ever be able to afford a home in their town or village. I welcome the stamp duty cuts, which have helped people across the country. Can the Minister tell us how many have benefited from our changes?

Kit Malthouse: My hon. Friend is well known for his championing of young people and their causes, particularly in his constituency, and he is right to point out that this move will benefit young people in particular. The stamp duty relief will help 95% of first-time buyers who pay it—that will be more than 1 million households over the five years. Between the relief’s introduction and the end of March, 69,000 first-time buyers have already benefited. I would also point out that we are at an 11-year high in the number of first-time buyers, which stands at 363,000.

Mr Speaker: Well, I am keen to get through the Order Paper today. I call Nigel Huddleston.

Midlands Engine

19. Nigel Huddleston (Mid Worcestershire) (Con): What steps his Department is taking to deliver economic growth through the midlands engine. [906591]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): A thriving midlands is essential to our economic success. The Government are committed to delivering the midlands engine strategy, including through £392 million for local growth projects to create more jobs and prosperity, and a £20 million midlands skills package.

Nigel Huddleston: Does the Minister agree that infrastructure investment is key to the success of the midlands engine? Will he therefore tell me what conversations he is having with the Department for Transport to improve key arteries such as the A46?

James Brokenshire: I am grateful to my hon. Friend for that. I am having a number of conversations across government about the delivery of that infrastructure. He highlights the A46 corridor. Initial work has shown that 700,000 jobs could be created by improvements. The case for individual schemes on the route is being developed.
Home Ownership

20. **Diana Johnson** (Kingston upon Hull North) (Lab): What recent assessment he has made of (a) trends in the level of home ownership since 2010 and (b) the opportunities available for council and social housing tenants who wish to buy their homes.  

**The Minister for Housing (Kit Malthouse):** Home ownership has been stable over the past four years at about 63%. The right to buy has helped more than 86,000 council tenants into home ownership since 2012, under the reinvigorated scheme. This summer we launch a major pilot of the voluntary right to buy for housing association tenants.

**Diana Johnson:** Since 2010, we have seen home ownership levels fall to a 30-year low, while homelessness has doubled. If we want to end this dual failure to meet housing need and aspiration, and put choice in the hands of the many, not the few, should we not invest in building and renovating enough council and affordable homes to rent and buy, without taking away the rights that council tenants’ have had for 38 years under the right to buy scheme?

**Kit Malthouse:** The hon. Lady is definitely right to say that the solution to everybody’s housing problems is to build more homes—as many as we can—across those parts of the country that need it.

Private Landlords Regulator

22. **Phil Wilson** (Sedgefield) (Lab): Whether he plans to introduce a regulator of private landlords; and if he will make statement.

**The Minister for Housing (Kit Malthouse):** We are determined to crack down on the small number of rogue landlords—that includes banning the most serious offenders from letting properties. The database of rogue landlords and property agents supports local authority enforcement action. We have committed to requiring private landlords to join a mandatory redress scheme.

**Phil Wilson:** I have an indirect interest in this question, as my wife is a private landlord. Selective licensing schemes are good as far as they go, but a side effect is that they force bad landlords elsewhere. Therefore, whether we have a regulator or not, the answer, as outlined in my private Member’s Bill, is a national register of private landlords and licensing scheme to ensure that they provide the good-quality homes that people deserve. I know from working with Ron Hogg, Durham’s police and crime commissioner, of the effect that rogue private landlords have on local communities. Will the Secretary of State meet us both to discuss the need for a more robust approach to registration and licensing, both locally and nationally?

**Kit Malthouse:** I am more than happy to meet the hon. Gentleman to discuss the issues he raises, but I carefully suggest to him that this House has to strike a balance between bureaucracy and regulation—the two are often very different.

Topical Questions

T1. **Mary Robinson** (Cheadle) (Con): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Housing, Communities and Local Government (James Brokenshire):** The Government are taking steps for a more inclusive economy and society, and promoting local growth. With that in mind, we have today announced our attention to lay legislation to make the £600 million North of Tyne devolution deal a reality.

Following significant and sustained progress, I can also confirm to the House that I am minded to remove commissioners from Rotherham Metropolitan Borough Council and hand back remaining executive functions. That follows positive reports from the commissioners and important steps forward in delivering children’s services.

Tonight, I will address the Tell MAMA parliamentary reception, where I will underline that racism and xenophobia, in whatever form, have no place in our society and should be confronted in the strongest terms.

**Mary Robinson:** Will the Secretary of State consider how the sale of public sector land could be used to get homes built more quickly?

**James Brokenshire:** My hon. Friend rightly raises the issue of releasing public sector land, which is a priority for this Government. The land for homes programme aims to release centrally held land for 160,000 homes over the coming years. We are also supporting local authorities to release land for a further 160,000 homes.

**Jim McMahon** (Oldham West and Royton) (Lab/Co-op): If he will make statement on the issue of releasing public sector land to generate homes built more quickly.

**James Brokenshire:** We have all seen the shocking impact of police cuts and rising crime, but that has to be put together with real-terms cuts of 59% to crime reduction, 85% to community safety and 33% to CCTV monitoring, plus very deep cuts to youth services and community development. Does the Secretary of State believe that any of those cuts have had an impact on the increase in crime and antisocial behaviour?

**James Brokenshire:** Yet again, Labour fails to understand the reason why we have had to make savings—because of its public service delivery failures when in government. Steps such as this Government’s troubled families programme are about preventive work, as we heard earlier, and they are having an impact on our communities.

**Luke Graham** (Ochil and South Perthshire) (Con): What steps is my right hon. Friend taking to champion housing construction sector innovation across the United Kingdom, and will he meet me to discuss opportunities to champion such innovation through city deals in Scotland?

**James Brokenshire:** I am certainly willing to meet my hon. Friend, who is right to champion innovative ways in which we can build and innovative techniques within the construction sector. That is why we have the £3 billion home building fund to provide loan finance to builders
using those methods, as well as our modern methods of construction working group looking at ways in which that can be advanced.

T4. [906598] **Diana Johnson** (Kingston upon Hull North) (Lab): The Secretary of State has just talked about councils’ role in prevention. Given that they are now responsible for public health and the Local Government Association claims that public health cuts of £600 million mean that they are unable to deal with unforeseen outbreaks of sexually transmitted diseases, is he concerned that we have the highest rates of syphilis since the end of the second world war, and strains of gonorrhoea that are resistant to treatment?

**James Brokenshire**: I am very happy to look into the point that my hon. Friend has raised. I know that his commitment to self-build is second to none. We believe strongly in, and are committed to, self and custom house building, and I will certainly look into the issues that he has highlighted to the House today.

T3. [906597] **Bob Blackman** (Harrow East) (Con): It is extremely good news that the Government have allocated a record amount of funding for new housing in London. Could my right hon. Friend then explain to the House why it is that new housing starts are going up in England but, in London, they are going down?

**James Brokenshire**: The Government are clear that to talk to her to see how we can best capture the role that local authorities play in delivering that.

T5. [906599] **Mr Richard Bacon** (South Norfolk) (Con): Given that some planning inspectors’ reports are inadvertently undermining opportunities for people who want to build their own homes, despite new statutory obligations under the Self-Build and Custom House-Building Act 2015, will the Secretary of State ensure that inspectors pay sufficient regard to the legislation and enable the right to build taskforce to offer training so that inspectors are more familiar with the law in this new area?

**James Brokenshire**: I am very happy to look into the point that my hon. Friend has raised. I know that his commitment to self-build is second to none. We believe strongly in, and are committed to, self and custom house building, and I will certainly look into the issues that he has highlighted to the House today.

T6. [906600] **Siobhain McDonagh** (Mitcham and Morden) (Lab): In tune with the comments by the Housing Minister during these questions that he thinks that the answer to the housing crisis is to build more homes, can he tell the House whether he will be accepting my amendment to the national planning policy framework to build on ungreen green-belt land within 10 minutes of a London train station?

**The Minister for Housing (Kit Malthouse)**: I am hesitant to anticipate the release of the new planning framework that will be released, hopefully, shortly, but the hon. Lady will know that there is significant commitment by this Government to the green belt and, when that plan emerges, I will be more than happy to have a conversation with her about her plans.

T7. [906601] **Mary Creagh** (Wakefield) (Lab): Today, the Met Office with Public Health England has issued a level 3 amber heat health alert. The Environmental Audit Committee has been holding an inquiry into heatwaves and we have heard that it is children, older people who live alone and those with heart, lung and kidney conditions who are at the highest risk of illness and death during this hot weather. However, there are currently no building regulations to prevent new homes, hospitals and schools from overheating. What plans does the Secretary of State have to change building regulations and the national planning framework so that we ensure that the nation’s buildings and cities are resilient to warmer summer temperatures?

**James Brokenshire**: I will certainly look into the point that the hon. Lady has raised. We have obviously published some guidance around some of the building regulations and a revised simplified version of some part of that in the last week, but I will certainly reflect further on the point that she has raised.

T10. [906604] **Tom Pursglove** (Corby) (Con): What assessment has the Minister made of the effect of the Help to Buy scheme and stamp duty relief on the number of first-time buyers in Northamptonshire?

**Kit Malthouse**: The Help to Buy equity loan scheme has helped more than 3,000 buyers in Northamptonshire, a part of which my hon. Friend ably represents, to purchase their first home. The action undertaken by this Government has led to an 11-year annual high in the number of first-time buyers across the UK.

T8. [906602] **Mohammad Yasin** (Bedford) (Lab): What assessment has the Minister made of the effect on the long-term financial viability of councils of the use of reserves to fund adult social care?

**Rishi Sunak**: It is important that each local council makes those decisions itself. It was the responsibility of the statutory officer to decide on the appropriate level of reserves. I am pleased to see that, in the hon. Gentleman’s own local authority, non-ring-fenced reserves are up 30% in the past six years. I am sure that his council will use those reserves prudently as required.

**Maggie Throup** (Erewash) (Con): Will my right hon. Friend update the House on what progress has been made to select sites for HS2 garden villages in the east midlands, especially around the Toton hub?
James Brokenshire: I can confirm to my hon. Friend that we will publish a prospectus in the summer inviting ambitious, locally supported proposals for high-quality new garden communities at scale. We are keen to assist as many as we can in locations where there is sufficient demand for housing, and I look forward to continuing that conversation with her and others.

T9. [906603] Jim Shannon (Strangford) (DUP): What steps is the Minister taking to ensure that all social and private new-builds are as energy efficient as is practicable and what grants are there to help developers to achieve those goals?

James Brokenshire: The Government intend to consult on strengthening building regulations’ energy efficiency requirements where it is cost-effective, affordable, safe and practical to do so. We do not provide energy efficiency grants. Developers should bear the costs, which is why we need to ensure that the proposals are cost-effective and do not compromise housing viability.

Fiona Bruce (Congleton) (Con): Would Ministers look into the considerable length of time nationally-set local government officer disciplinary procedures are taking, so that they can be reviewed and fairness can be appropriately balanced with the cost to local council tax payers?

James Brokenshire: I recognise my hon. Friend’s point and I will certainly look into these matters. I could write to her with some of the details, if that would be helpful.

Helen Hayes (Dulwich and West Norwood) (Lab): In the last year, just 12% of homes delivered by housing associations—the very organisations set up to deliver affordable homes—were built for social rent. Will the Secretary of State confirm that the social housing Green Paper will acknowledge that the combination of viability assessments and a completely broken definition of affordability is letting down communities across the country that desperately need new social homes to rent?

James Brokenshire: I do expect the social housing Green Paper to be wide-ranging and to deal not simply with issues of supply, but with issues of stigma for those living in social housing; I expect it to confront that very firmly. I remind the hon. Lady that we have delivered more council housing than in 13 years of a Labour Government, and we are committed to all forms of tenure.

Martin Vickers (Cleethorpes) (Con): The recent conclusion of the Greater Grimsby town deal was a welcome boost to the economy in Cleethorpes and Grimsby. A further boost could be provided if a way could be found to revive the failed Greater Lincolnshire devolution deal. Will the Secretary of State meet me and fellow Lincolnshire MPs to discuss a way forward?

James Brokenshire: I would be happy to meet my hon. Friend to discuss how we can support local growth in Lincolnshire. As I have highlighted, this is a priority for the Government. I look forward to talking to my hon. Friend and other colleagues.

Thangam Debbonaire (Bristol West) (Lab): Will the Secretary of State agree to meet me, as chair of the all-party parliamentary group on refugees, to discuss the impact and implications of his Department’s integration strategy for refugees?

James Brokenshire: I would be happy to meet the hon. Lady to discuss the issue of the integration strategy. As she knows, we have been consulting on this over recent weeks, and I am considering next steps in that regard. If there are specific issues that she wishes to flag in relation to refugees, I will be pleased to hear them.

Philip Davies (Shipley) (Con): As the Secretary of State and the Minister for Housing know, I have requested that they call in a planning application passed by Bradford Council to build 500 houses on the green belt in Burley in Wetherdale in my constituency. Since then, Bradford Council has accepted that it does not need to build as many houses as it first thought and has actually allowed a building development in Bradford city centre that was earmarked for hundreds of houses to be turned into a car park, so will the Secretary of State agree that there is now clearly not an exceptional case to build those houses on the green belt and will he call in this application? When can my constituents expect a response?

James Brokenshire: As my hon. Friend will know, it is difficult for me to comment on issues in respect of individual planning applications because of the quasi-judicial function of Ministers, but I note his comments.

Andy Slaughter (Hammersmith) (Lab): Half of the residents made homeless in the Grenfell Tower fire are still in temporary accommodation. Is the Secretary of State embarrassed by that? If he is not, why did he sneak out at the end of last week two pages of waffle on Grenfell as a written ministerial statement, instead of making an oral statement to the House when his predecessor said that we would be kept updated in that way?

James Brokenshire: We have sought to update the House on a regular basis on the progress in seeing that those involved in the Grenfell Tower disaster are rehoused. Two hundred households have accepted temporary or permanent accommodation, and I can say that 97 households have now moved into permanent accommodation. I want to see this speeded up and I want to see progress being made, because it is important that those families are in permanent accommodation and the homes that they deserve.

Huw Merriman (Bexhill and Battle) (Con): Despite a new road being built between Bexhill and Hastings, in part to house new developments, the developers have failed to build any of the houses. What more can the Government do to incentivise developers, perhaps by charging them council tax from the time that a planning application is delivered, and allowing local authorities to compulsorily purchase land and build on it themselves if developers will not?

Kit Malthouse: I commend my hon. Friend for the urgency with which he requires more housing in his constituency, which I know his constituents will appreciate. He is right that one of the issues that this country faces is that the structures that we have put in place have
created more of a land speculation industry than a house building industry. We will be looking at a number of solutions to address that problem.

**Ms Karen Buck** (Westminster North) (Lab): My local authority, Westminster, has indicated that it would rather give up £23 million from mayoral funding than hold a ballot on a scheme in Church Street that involves the demolition of 700 homes. Will the Minister have a word with the council and encourage it to involve and consult its communities on major regeneration schemes?

**Kit Malthouse**: I have already been in communication with the leader of Westminster City Council about this issue, which is alarming. I understand that there is a dispute about whether or when a ballot was held. I understand that, with regard to the Church Street regeneration, a ballot has been held in the past. One has to wonder why the Mayor would seek to withhold £23 million from one of the most deprived areas of the city that requires this regeneration.

**John Howell** (Henley) (Con): Two recent planning appeals were won in my constituency on the grounds that planning permission should not be given “where a planning application conflicts with a neighbourhood plan”.

Will the Minister ensure that this is the rule for the future?

**Kit Malthouse**: Like my hon. Friend, I bear the scars of just such a number of decisions. In particular, there was a decision in my constituency—in Oakley, in my patch—where the planning inspector allowed a development seven days prior to the referendum on a neighbourhood plan. I am determined, however long I am given in this job, to make sure that neighbourhood plans are landed extremely well and are adopted by as much of the country as possible, and that local people know they can rely on them to make sure that planning is done with them and not to them.

**Mr Speaker**: I know that the shadow Secretary of State wanted to raise a point of order, which he has promised to do with commendable brevity.

**John Healey** (Wentworth and Dearne) (Lab): On a point of order, Mr Speaker. We have just had over an hour of oral questions on the day before the long summer recess, yet we have had no update from the Secretary of State on a number of promises he made about when important policy announcements would be made. On 9 May, he said:

“The Government will bring forward a Rough Sleeping Strategy in July”.

It has not been published. On 11 June, he said:

“we’ll be publishing a Social Housing Green Paper by recess.”

It has not been published. On 9 July, he said that he would come forward with the finalised national planning policy framework before the summer recess. It has not been published. What assistance can you give me and the House to make sure that, when promises are made by Ministers, they are honoured, and that important policy announcements are not dribbled out over the recess when this House is not sitting and cannot scrutinise them?

**Mr Speaker**: I am grateful to the right hon. Gentleman for his attempted point of order. I do not wish to treat it with levity because it is a matter of the utmost importance. He seeks assistance from me and asks what I can do. I suppose I ought to begin by saying what I cannot do. I cannot delay the summer recess; the summer recess will be a fact. It is not entirely without precedent for Ministers to issue policy announcements during periods of recess. The Secretary of State is in his place and will have heard with crystal clarity what the right hon. Gentleman said. If the Secretary of State wants to give any earnest of his good intentions in this matter, he can do so, but alternatively he can remain—and apparently is remaining—glued to his seat, from which the right hon. Gentleman, Sherlock Holmes-style, must make his own deductions.
Foreign Fighters and the Death Penalty

3.43 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab) (Urgent Question): To ask the Secretary of State for the Home Department to make a statement on the Government’s policy on the rendition of UK citizens who may be subject to capital punishment.

The Minister for Security and Economic Crime (Mr Ben Wallace): The Government take their responsibility to protect the public seriously. We have been consistently clear, where there is evidence that crimes have been committed, that foreign fighters, for example, should be brought to justice in accordance with due legal process regardless of their nationality. The specific process followed will always be dependent on the individual circumstances of the case.

The case of Alexanda Kotey and El Shafee Elsheikh is ongoing and obviously sensitive. In handling this case, the Government and Ministers have complied with the European convention on human rights and with due process, and we must be mindful to protect the integrity of the criminal investigation. In this instance, and after carefully considered advice, the Government took the rare decision not to require assurances in this case. It would be inappropriate to comment further on that specific case. Foreign fighters detained in Syria could be released from detention without facing justice. We have been working closely with international partners to ensure that they face justice for any crimes they have committed.

I can provide little further detail to the House beyond what the Government have already outlined in previous statements, but I can reassure the House that our long-standing position on the use of the death penalty has not changed. The UK has a long-standing policy of opposing the death penalty as a matter of principle regardless of nationality and we act compatibly with the European convention on human rights. In accordance with the Government’s overseas, security and justice assistance guidance, we have taken into account human rights considerations. The OSJA provides that where there are strong reasons not to seek death penalty assurances,

“Ministers should be consulted to determine whether, given the specific circumstances of the case, we should nevertheless provide assistance.”

On Guantanamo Bay, again our position has not changed. The UK Government’s long-standing position is that the detention facility at Guantanamo Bay should close. Where we share evidence with the US, it must be for the express purpose of progressing a criminal prosecution, and we have made that clear to the United States. We have planned and prepared for the risk posed by British nationals returning to the UK as Daesh is defeated in Iraq and Syria, and we are using a range of tools to disrupt and diminish that threat in order to keep the public safe. Each case is considered individually to determine which action or power is most appropriate.

I cannot say more about individual cases in this circumstance, but the Government have set out the extent to which these tools have been used in our annual transparency report. We will also be introducing new offences in the Counter-Terrorism and Border Security Bill, which is being debated by parliamentary colleagues and which will strengthen our terrorism legislation to increase our ability to prosecute returning foreign fighters.

Ms Abbott: Thank you, Mr Speaker, for granting this urgent question.

The whole House is united in condemning terrorism and the work of ISIS, and anyone found guilty of terrorism should face the full force of the law, but in an increasingly dangerous and unstable world, one of our strengths as a country is our willingness to stand up unflinchingly for human rights. It is a key aspect of our soft power. The Minister will therefore understand the widespread concern that the Government seem willing to abandon their long-standing, principled opposition to the death penalty in this case.

Ministers claim that the decision in this case does not reflect a change in our policy on assistance in US death penalty cases generally or the UK Government’s stance on the global abolition of the death penalty, but I put it to Ministers that they cannot be a little bit in favour of the death penalty. Either we offer consistent opposition, or we do not. So let me remind the Minister: capital punishment is not the law of this country; we do not extradite people to countries where it is potentially a sentence for the crime; the death penalty is outlawed under the Human Rights Act 1998; and it is in breach of the European convention on human rights.

Successive Governments have always sought assurances that those who face justice in other countries will not face the death penalty. Extradition is expressly prohibited where the subject could face the death penalty under the Extradition Act 2003. The UK is a signatory to the United Nations convention against torture and other cruel, inhuman or degrading treatment or punishment, and extraordinary rendition is unlawful under this convention, but in his letter to the US Attorney General, Jeff Sessions, of 22 June, the Home Secretary reportedly wrote:

“I am of the view that there are strong reasons for not requiring a death penalty assurance in this specific case, so no such assurances will be sought.”

Can the Minister explain why the Home Secretary did not come to Parliament to disclose this change of policy, what his strong reasons are, what advice he has taken, whether the Law Officers have been consulted, what assessment has been made of the impact of extradition arrangements with third countries where capital punishment is outlawed and what steps he has taken to ensure there has been no torture in this case, unlike in the more than 200 cases of abuse of detainees identified by the Intelligence and Security Committee in its report of 28 June?

The Minister will be aware that the mother of one of the cell’s victims has said that she is “very against” the use of the death penalty. Diane Foley said:

“I think that you just make them martyrs in their twisted ideology...I would like them held accountable by being sent to prison for the rest of their lives. That would be my preference.”

This decision to abandon our principled opposition to the death penalty is abhorrent and shameful, and I call on Ministers, even at this late stage, to reverse the decision.

Mr Wallace: I have listened carefully to the right hon. Lady’s statement, and I agree with much of what she said. It is not a matter of extradition, as she will know if
she has read the news reports; it is a matter of whether we were going to accept a request by the United States to share evidence on individuals not within the United Kingdom and not within the European Union, but abroad. No one is extraditing anyone in this country, and we are not talking about UK citizens, so the premise of her question in the first place is, I am afraid, skewed.

However, I will try to answer the questions the right hon. Lady has put to the House. First, she asked why the Home Secretary did not come to the House to announce a change in policy. That is because he has not changed the policy of the United Kingdom Government. The overseas security and justice assistance guidance clearly states “that there will be cases where, as an exception to the general policy and taking into account the specific circumstances, Ministers can lawfully decide that assistance should be provided in the absence of adequate assurances”.

That has been the policy for many, many years. All Ministers have done is consider, in response to a request from one of our allies to seek evidence on individuals detained elsewhere, whether we should share that evidence and whether we should seek assurances in doing so.

I notice that the right hon. Lady mentioned Mrs Foley. I heard that interview this morning, too, and Mrs Foley also said that she thought it was right that these people face justice in US courts. Who are we to deny that evidence without seeking assurances.

The United States has the rule of law and due process, as do we in this country. In our many mutual legal assistance requests—there are more than 8,000 a year among countries and police forces around the world—we do it on a case-by-case basis, in accordance with the law. Throughout the process, other Ministers and I consulted lawyers. We constantly checked with existing guidance and the policy.

We should not forget that the crimes we are talking about involve the beheading, and videoing of the beheading, of dozens of innocent people by one of the most abhorrent organisations walking this earth. It would be bizarre to say that if we were unable to prosecute them in this country, we should simply let them be free to roam around the United Kingdom so as not to upset the right hon. Lady. Not to share our evidence with the United States would be simply bizarre and would not be justice for the victims.

Sir Michael Fallon (Sevenoaks) (Con): Daesh/ISIL is a proscribed organisation still committed to waging acts of terrorism against this country. On the wider point, if it is still too difficult to prosecute them in this country, we should simply let them be free to roam around the United Kingdom so as not to upset the right hon. Lady. Not to share our evidence with the United States would be simply bizarre and would not be justice for the victims.

Mr Wallace: I hear my right hon. Friend. I do not believe it is necessary or right to withdraw from the European convention on human rights, is it not time to take back control?

Mr Wallace: The hon. and learned Lady is a wise and knowledgeable barrister in her own right, and she will know that coming to this House to discuss individual cases that are subject to ongoing investigations does two things: it puts the investigation and the potential to bring charges at risk; and it could undermine the likelihood of those individuals getting a fair trial if we comment on it. I am sure that she, as a student of justice, would not wish that to happen. I will therefore not comment further on the cases involving these individuals. As we have said, it is incredibly rare in the first place that such issues are brought to the House or discussed in it.

There was no request from the US Administration for us to vary our assurances. That decision was taken within the United Kingdom by Ministers, and the Prime Minister was aware of that decision.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I have no doubt that my right hon. Friend, who is a distinguished former soldier, would have shot these two people had he engaged them on the battlefield, but these are not comparable circumstances and there are important and long-standing conventions in play. Will he bear in mind that, on human rights, we cannot distinguish between good and bad people? Human rights are indivisible and belong to everybody.

Mr Wallace: My right hon. Friend is absolutely right. In fact, I would not just have shot such people on the battlefield; I would have acted within the law and with
the powers I was granted by Parliament and by the Government of the day, as he and I did under emergency deployment. We acted within the law, and just being a soldier on the battlefield did not exempt us from the law or human rights obligations.

I totally agree with human rights, and that is why Ministers have acted in line with our legal obligations and, indeed, taken advice in relation to the European convention on human rights. The right hon. Member for Hackney North and Stoke Newington (Ms Abbott) mentioned rendition, but no one is rendering. The UK Government fundamentally oppose rendition and will continue to do so.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The whole House would agree that those who commit barbaric crimes should be locked away for the rest of their lives, but what the Minister has said is a contradiction of the long-standing abolition of the death penalty strategy—No. 10 have reaffirmed these words today—which says:

“It is the longstanding policy of the UK to oppose the death penalty in all circumstances as a matter of principle.”

In this case, the Home Secretary seems to have unilaterally ripped up those principles on a Friday afternoon in the summer. What does the Minister think “principle” and “all circumstances” mean if somehow these circumstances are not “all circumstances”? Is he not actually saying that principles mean nothing to the UK Government any more?

Mr Wallace: No, I am not saying that, and my right hon. Friend the Home Secretary did not rip up anything unilaterally. My right hon. Friend followed the advice, as did other Ministers, of the OSJA—the guidance that has been in existence for very many years—which does allow Ministers to sometimes seek the ability to share evidence where there is an absence of assurances. That is what the OSJA has done, as part of the guidance for the Government, and it has been there for many years.

Dame Cheryl Gillan (Chesham and Amersham) (Con): The UK is a proud member of the Council of Europe, which has made the abolition of capital punishment one of its main priorities. It has been fighting for 30 years to outlaw the death penalty, and it now wishes to extend that to countries with observer status at the Council of Europe, including Japan and the United States of America. Will the Minister confirm that he will support that policy of the Council of Europe and say whether he is convinced that the actions relating to these two men are compatible with our membership of the Council of Europe and the priorities we put on its activities?

Mr Wallace: In answer to my right hon. Friend, yes and yes.

Hilary Benn (Leeds Central) (Lab): The Minister just referred, in quoting the code, to the absence of assurances. What the Home Secretary wrote in the letter to the US Attorney General was that he was not even going to seek assurances. Therefore, the question that has been asked by many Members still holds: why have the Government decided to breach a long-standing policy against the death penalty in all circumstances in this case? We all want these individuals, if there is evidence, to face justice, but it is precisely because of the barbaric nature of the crimes of which they are accused that we as a country have to show that we are better than them and what they did. That is why there is so much unhappiness, I suspect in many parts of the House, about what the Home Secretary has done.

Mr Wallace: I am not going to take a lecture about being better from a right hon. Gentleman who sat in a Government when people were being rendered from Libya and across to Libya. I think that is outrageous. As I have said to other Opposition Members, I cannot go into the exact details of this case because it is currently under investigation and to do so would risk undermining the operation. The OSJA is the guidance that Ministers have followed in the past and will follow in future. That is absolutely the case.

The right hon. Gentleman asks questions about the semantics of the letter and whether we asked or did not ask. We have said in this case that it is the judgment of Ministers, based on the operation, the investigation and the evidence before us, that we will not seek assurances in this matter.

Mr Dominic Grieve (Beaconsfield) (Con): It was my understanding that it was a policy decision of the United Kingdom Government—which I do not criticise in any way—that we would not seek the return of these two individuals to the United Kingdom for public interest reasons, and indeed have deprived them of their UK nationality. However, is it not the case that to move on from there to facilitate their going to the United States to face trial for capital offences is a major departure from normal policy, if we are doing so by providing evidence under a request for mutual legal assistance? When was the last time that we departed from these principles—I am not aware of this ever having happened before—and why have we not asked for an assurance when it would be perfectly proper to do so? Those are the two key questions, and until they are answered, I have to say to my right hon. Friend that this issue will continue to haunt the Government.

Mr Wallace: My right hon. and learned Friend, having produced plenty of advice in his previous role as Attorney General to Her Majesty’s Government, will recognise the challenges that Ministers face in balancing the need for making the decision about trial—[Interruption.] Opposition Members chunter from a sedentary position. The reality, as my right hon. and learned Friend said, is that we all desire these people to face trial. If Ministers are faced with the prospect of not being able to try them in the United Kingdom but an ally seeks evidence that could lead to them being tried, Ministers have an obligation to the citizens of this country to balance that request and the likelihood of trial with the extent to which they will seek assurances, if we think that is important for keeping people safe in the United Kingdom. In this case, Ministers have made the decision that we are not going to seek assurances, because we do not think we have the evidence here to try them in the United Kingdom and we hope that a trial will be carried out in the United States. That is the balance. My right hon. and learned Friend may disagree with the balance we have chosen to take, but that is the
responsibility of the Ministers holding the onerous task of trying to keep us safe, while balancing that with human rights.

Sir Edward Davey (Kingston and Surbiton) (LD): Why did Ministers not seek death penalty assurances?

Mr Wallace: Because we are interested in seeking criminal justice in line with international law and our law. Where we feel the assurance might get in the way of being able to do that—[Interruption.] No, no; if the right hon. Gentleman faced the choice of either having to see these people go free and potentially wander around his constituency or go to trial, he might take a different view. In this case, Ministers looked at the request before them and, acting lawfully and in line with law, decided that the best place for that justice to be delivered. In this case, we felt the best place was the United States of America.

Stella Creasy (Walthamstow) (Lab/Co-op): Everybody in this House agrees that the crimes being talked about are abhorrent and that there is a desperate need for justice, but no straw man should conceal the fact that that should never come at the loss of our principled opposition to the death penalty. If the Minister is so confident that this is the correct decision, will he publish the legal advice that he and other Ministers have had that confirms they do not even need to ask the question for this country? On that point, he says that the Prime Minister is aware of this decision. Does she agree?

Mr Wallace: On the first point, the hon. Lady will know that it has been the policy of numerous successive Governments not to publish legal advice. On the second point, the Prime Minister was aware of the decision. The decision was made between the Home Office and the Foreign Office, and she agrees.

Michael Fabricant (Lichfield) (Con): I remind my right hon. Friend that the United States shares English law with us. A particularly ridiculous point was made by the SNP spokesman, the hon. and learned Member for Edinburgh South West (Joanna Cherry), when she mentioned Saudi Arabia, which patently does not. I also tell the House that there are widespread reports in the press that these people were responsible for beheading 27 western hostages with a serrated knife. If the evidence is not available in the United Kingdom but is available in the United States, I tell my right hon. Friend that it is absolutely right that they be tried there, because the last thing we want is these people being tried here, and then, through a lack of evidence, being found innocent and allowed to roam free in this country.

Mr Wallace: My hon. Friend makes a really important point. At the end of the day, this is about the security of our country and about justice being delivered where that can be done. For all the stories about the United States of America, it has a robust judicial system, a lot of which is based on English law, and for that reason we should not fear that sharing evidence with the United States is somehow comparable with sharing it with some other states that have been mentioned, or indeed that justice will not be done and that these people will not be given a fair trial if a trial is to happen. That is why I have said repeatedly from the Dispatch Box that I cannot comment in too much detail about these individuals.

Kevin Brennan (Cardiff West) (Lab): The point about a principled opposition to capital punishment is that it exists in all circumstances—not just in areas where there might be a miscarriage of justice, but in the most hideous, heinous crimes of the kind we are describing, where very clear evidence is available. Will the Government tell the House whether, when they spoke to the American authorities, the American authorities told them that no such assurances would be given if the Government sought them?

Mr Wallace: In this particular case, much of the potential for a trial was based on a comparison of the United States’ statute book and ours, and whether
the US had the suite of offences that would achieve a conviction and we did not. As I said to my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon), that is why we are bringing in some new offences in the Counter-Terrorism and Border Security Bill, which is currently going through the House.

Tom Tugendhat (Tonbridge and Malling) (Con): Does my right hon. Friend agree that one of the great shames in this is that we have not brought a charge of betrayal against these people? Fundamentally, what they have done is not just to bring violence against people in Syria but to undermine community cohesion in this country. That betrayal against our own state—that sense of wrong done to the citizens of this country—is a crime in itself and should be tried as one.

Mr Wallace: I can give my hon. Friend the assurance that throughout the whole process of this and many other cases that we have to make decisions on, we try to keep in balance the security of the nation from people who pose such a threat, whether they betray our values or betray their nation. We do that all the time and work incredibly hard to try to make sure that where we achieve justice, we do not do it by cutting corners and breaking international law, which we have seen happen in this House previously. The consequences that flowed from that are significant, which is why I can say, and said earlier, that the Government’s position on Guantanamo Bay is not as was reported in the media this morning. We absolutely oppose its existence. We wish it to be closed down and we would not, and will not, share information with the United States if individuals were going to end up in Guantanamo Bay.

Thangam Debbonaire (Bristol West) (Lab): I am baffled as to which of the many questions running through my head to ask. I could ask why the Minister had no answer for the right hon. and learned Member for Beaconsfield (Mr Grieve), because surely precedent is extremely important in this case. The Minister does not even seem to know when the country last made such a serious decision not to seek reassurances. May I press him to commit himself to finding out those reasons, and to expressing at least some understanding of why it baffles so many of us, on both sides of the House, that he will not seek those reassurances in this case, given that he has just said that he would have done so if there had been the possibility of a prisoner’s going to Guantanamo? It makes no sense.

Mr Wallace: First, I have given that commitment. I will find out how many times this has been used in the past, and, as I have said, I will write to Members. As for the seriousness, the reason the Government oppose Guantanamo Bay—as, indeed, do the Opposition Front Benchers—is that it is not an institution that follows due process. It is set outside the bounds of international law. It is not in compliance with nearly everything that this country stands for. That is very different from the justice system of the United States.

Andrew Percy (Brigg and Goole) (Con): Like, I suspect, the majority of my constituents and those in the country as a whole, I am perfectly comfortable with the position of the Home Secretary. These people are not United Kingdom citizens, and they are owed nothing by this Government. May I urge my right hon. Friend to ensure that the unrepresentative grandstanding that we have seen from some today will not knock the Government off its course of assisting the United States in the prosecution of these murderous terrorist scum?

Mr Wallace: My hon. Friend is right to point out that it is our constituents who face the consequences of not getting this right. The last thing on my mind at night and the first thing on my mind when I wake up in the morning is the balancing of risk—the balance between people who we know pose a risk, trying to plot to bomb us and kill us every single day; and the needs of my constituents and the constituents of the United Kingdom. The duty of Ministers is to balance that risk, and to try to get that balance right.

Tom Brake (Carshalton and Wallington) (LD): Like other Members in all parts of the House, I am proud of the role that successive UK Governments of all political persuasions have played in fighting against the death penalty. Is there any evidence that the Minister can give to challenge the assertion quoted in The Times this morning, from a “ministerial source”, that the Home Secretary’s decision “is contrary to all government policy, and negates over a decade’s unequivocal FCO statements and DFID programme spending principles”?

Mr Wallace: I do not think that I need to guide the right hon. Gentleman not to quote from a ministerial source on any day of the week, and I would advise any colleagues against doing so. That ministerial source, whoever it may be, is wrong.

Jack Lopresti (Filton and Bradley Stoke) (Con): Will my right hon. Friend confirm that it is a vital strategic priority of our Government to work as closely as possible with the United States on a range of national security issues, and to assist us in our fight against international terrorism and extremism to help to keep our people safe?

Mr Wallace: My hon. Friend has made an important point. Every week, the United States and our European allies share evidence and intelligence that keep us safe. They are our friends in this ever-unstable world. It is incredibly important that we stay close to all our allies and continue in partnership both to prosecute people where they pose a threat—if it is here, then here, but if it is not, elsewhere, in the countries that share our values—and to share intelligence in order to make sure that all of us keep safe.

Steve McCabe (Birmingham, Selly Oak) (Lab): In the case of Abu Qatada, the Prime Minister, in her former guise, secured a special guarantee that evidence gathered through torture would not be used against him. Whatever these people are accused of, will the Minister give the House an assurance that there are the same guarantees for Alexandra Kotey and El Shafee Elsheikh?

Mr Wallace: On the basis of all the evidence that the United Kingdom holds, we would not hold evidence that we knew resulted directly or indirectly from torture; nor would we share that evidence if we had it.
Mr William Wragg (Hazel Grove) (Con): Having taken the mood of the House this afternoon, will my right hon. and gallant Friend ask our right hon. Friend the Home Secretary to reconsider the action that he has taken, given the specifics of this case?

Mr Wallace: No.

Martin Whitfield (East Lothian) (Lab): I am glad that the Minister intends to write to the right hon. and learned Member for Beaconsfield (Mr Grieve) to answer his question, but can he confirm, as he was unable to answer today, that no precedent played any part in the decision made in this case?

Mr Wallace: The hon. Gentleman is correct. As I said in answer to a question from the right hon. Member for Hackney North and Stoke Newington (Ms Abbott), all cases are taken on a case-by-case basis, and that will be the case in the future as well.

Mike Wood (Dudley South) (Con): Does my right hon. Friend agree that the key human right in this case is access to a full and fair trial, and that the UK Government must do everything they can to make sure that that is possible? If UK agencies and authorities were to withhold evidence they have in their possession, it would put that fundamentally at risk?

Mr Wallace: My hon. Friend is right that it is very important that anyone detained on suspicion of being a foreign fighter faces a full and fair trial in accordance with our values and laws and international law, and that is what we are trying to achieve.

Andy Slaughter (Hammersmith) (Lab): Last week the Foreign Office confirmed the Government’s position that the death penalty undermines human dignity and that opposing it was in all circumstances a matter of principle. So that confirms what I think the Minister has said, which is that this is an individual decision by this Home Secretary. But the only reason the Minister has given, which is that this is an individual decision by the Minister, is that assurance is not sought in this case?

Mr Wallace: No.

Mr Wallace: The new Counter-Terrorism and Border Security Bill increases some of the maximum sentences available. On the wider area of my hon. Friend’s point, I do not believe that the death penalty is something that this country should have. I do not think it is what the public, or indeed this House, would support. However, I also respect the will of a number of countries around the world, including the United States, that have decided to have the death penalty in certain circumstances. As an ex-soldier, I am also aware that all states, including those that oppose the death penalty, use lethal force when they have to do so to keep themselves secure. We risk being seen as hypocrites if we say that we will never make an exception for assurances, while being prepared to use lethal force on the battlefield to kill people without due process. That is the balance that we always have to strike. It is not easy, but we do it to try to keep people safe.

Huw Merriman (Bexhill and Battle) (Con): While I understand the concern of those who oppose the death penalty, I also understand the concern of my constituents that if this country has information or evidence that is not passed on to our closest ally, the United States, that will send out a very wrong signal indeed when this House calls for more action in countries where there is a war that directly impacts my constituents. Will the
Minister confirm, in order to reassure us all, that if advice has been taken and if decisions have been overreached in terms of ministerial responsibility, they will of course be subject to the courts?

**Mr Wallace:** Yes, my hon. Friend is correct. All Ministers took these decisions in line with the law. They were acting lawfully, within international law and within our domestic obligations.

**Alison Thewliss** (Glasgow Central) (SNP): Sending people to face the death penalty is unacceptable, and to be party to doing that undermines our own credentials. The Minister did not answer the question put by my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry). When will the Government renew their own policy on the death penalty? When will that be brought before this House?

**Mr Wallace:** The hon. Lady makes one fundamental mistake. The two individuals in question are not under our control. They are not in our jurisdiction. We have no contact with them whatsoever. The reality is that this is based on a request from the United States Government to share evidence so that those individuals can potentially face trial in the United States.

**Jim Shannon** (Strangford) (DUP): I thank the Minister for his comments so far. Those two men are not UK citizens. If the evidential base is as strong as the media suggest, they will be charged and tested in the US courts for the murder of two Americans. Is it not right that it should be the US courts that deliberate on those horrific murders?

**Mr Wallace:** There are American victims of this crime, and whoever the right people to face the consequences of that are, they should of course face justice where those victims are, as should be the case in relation to British victims here. It would have been good if we could have done that, but in this case, the decision was reached that the United States was the best place for those individuals to face justice, in the United States criminal system.

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**4.28 pm**

**Mr Alistair Carmichael** (Orkney and Shetland) (LD) (**Urgent Question**): To ask the Parliamentary Secretary to the Treasury if he will make a statement in relation to Government policy and practice with regard to pairing arrangements, especially as they relate to Members on maternity, paternity or adoption leave.

**The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office** (Mr David Lidington): I want to start by reiterating without reserve the apology for the error that was made last week in respect of pairing with the hon. Member for East Dunbartonshire (Jo Swinson). Both the Parliamentary Secretary to the Treasury, my right hon. Friend the Member for Skipton and Ripon (Julian Smith)—the Government Chief Whip—and the Minister without Portfolio, my right hon. Friend the Member for Great Yarmouth (Brandon Lewis), have apologised publicly, and I acknowledge that that apology was accepted by the right hon. Member for Orkney and Shetland (Mr Carmichael) during questions to my right hon. Friend the Leader of the House last week.

The Government’s policy on pairing remains that these are long-standing informal arrangements between business managers in different political parties in this House, co-ordinated through the usual channels. That has been the position of successive Governments of different political compositions, and this Government have no plans to change those underlying arrangements. Indeed, it is worth noting that almost 2,000 pairs have been agreed since the general election in June last year. Of those, the overwhelming majority have worked as intended, with the Government actually having a better record of upholding pairing arrangements than most other parties.

During the passage of the Trade Bill last week, seven of the eight pairs remained in place, including two other pairs provided for two Members on maternity leave. As my right hon. Friend the Leader of the House said in response to the urgent question last week, there are clearly questions and different opinions in the House on whether and, if so, how changes should be made to our current voting arrangements.

The Government have therefore confirmed that there will be a general debate on proxy voting in September, following the debate’s cancellation earlier this month for an urgent statement on the Amesbury incident. That will give Members the opportunity to consider the various questions arising from the recent report of the Procedure Committee into proxy voting. In particular, as came through from the exchanges following the Leader of the House’s business statement last week, I know that Members have questions about whether such arrangements should be extended beyond maternity, paternity and adoption leave to those who, for example, have been bereaved or who have caring responsibilities for close relatives. It is important that the House be given time to debate those questions as, from my experience, such changes are made most effectively when they command consensus across the House.

The Government remain committed to providing a pairing system with Opposition parties, and I reassure the House again that the errors of last week will not be repeated. I hope the House will look forward to the
debate in September as a chance to discuss in greater detail what changes might be made to ensure that Members on both sides of the House are supported through periods of absence.

**Mr Carmichael:** Thank you for allowing this urgent question, Mr Speaker. I thank the Minister for his answer. I mean no disrespect to him, but I am disappointed that he is at the Dispatch Box today and not the Chief Whip.

There are serious questions still outstanding about the events of last Tuesday evening, and the only person who knows the truth about them is the Chief Whip himself. There is a serious lack of confidence today in the system by which we run our business, and the only person who can restore that confidence is the Chief Whip.

I understand the convention that the Chief Whip does not normally speak in this Chamber except to move a by-election writ. Under normal circumstances I would see that as a sensible protection for the office of Chief Whip, but the House should not lose sight that there is an important distinction to be drawn between a protection for the office and a protection for the holder of that office.

When I was first made aware of the presence of the right hon. Member for Great Yarmouth (Brandon Lewis) in the Division Lobby last week, I was quite relaxed about it. We all know these things happen from time to time and, in a system that relies on the best of faith, these things should not be the source of excitement. My view started to change, however, when I learned that any mistake was made not by the right hon. Gentleman but by the Chief Whip himself. It may have been a mistake to cancel the pair, but it was not an inadvertence; it was a deliberate act. We now understand that the instruction to the right hon. Gentleman that he should vote came from the Chief Whip himself. The explanation from the Chief Whip that he did not know this was, as he terms it, a “pregnancy pair” neither clarifies nor excuses what is a prima facie act of bad faith. A pair is a promise, whatever its purpose. If the system is to work, it should be honoured and not broken at the 11th hour.

The House should be aware that I gave the Minister advance notice of these questions. When was the decision made to cancel the pairing arrangements for the votes on new clauses 17 and 18, and when was the right hon. Member for Great Yarmouth informed of this? Did the Chief Whip inform either the Liberal Democrat or official Opposition Whips Office that the pairs would be broken? My information is that neither office was informed. Was the right hon. Member for Great Yarmouth aware that he was paired with my hon. Friend? The Member for East Dunbartonshire for the day’s votes? Was the decision made to cancel pairs taken in consultation with the Prime Minister or the Leader of the House? When were the Prime Minister and the Leader of the House informed that the pairing arrangements would be broken? Crucially, was the Prime Minister informed of the Chief Whip’s decision to instruct Conservative MPs to break pairing arrangements before she told the House at Prime Minister’s questions that it was an honest mistake? Do these repeated references to an “honest mistake” refer to the decision to break the pairing across the board or specifically to the decision to break pairing with a maternity/paternity leave MP? If it is the latter, is it now Government policy that the breaking of pairing arrangements at the insistence of the Chief Whip for non-pregnancy-related pairs is acceptable?

There is an old truism that there is no smoke without fire. In fairness to the Chief Whip, we see no flames today.—[Interruption.]

**Mr Speaker:** Order. There are a lot of people in the Chamber and quite a lot of people probably want to take part—we will make an assessment of that. Meanwhile, the right hon. Gentleman will be heard. No attempt to shout him down is going to work and therefore it is just a waste of breath.

**Mr Carmichael:** I had said, “In fairness to the Chief Whip”, so perhaps that was what got them excited, Mr Speaker. In fairness to the Chief Whip, there is no flame apparent today, but there is surely enough smoke to fill the sky.

**Mr Lidington:** First, my right hon. Friend the Member for Great Yarmouth, as the Minister without Portfolio, is a member of my ministerial team in the Cabinet Office, so I think it is perfectly appropriate that I should be answering the urgent question from the right hon. Gentleman.

The right hon. Gentleman asked a number of specific questions. First, let me say that my right hon. Friend the Member for Great Yarmouth was not at any point aware that he was paired with the hon. Member for East Dunbartonshire. Indeed, that is the normal state of affairs when a colleague is paired: they do not know with which particular Opposition Member they happen to be paired. That is a matter dealt with by the usual channels, through the respective Whips Offices. My right hon. Friend was asked to vote shortly before the Divisions that have caused this particular controversy. As has been said both by him and by my right hon. Friend the Chief Whip, he should not have been asked to vote. An error was made within the Government Whips Office, for which my right hon. Friend the Chief Whip has taken responsibility, hence his public apology to the right hon. Gentleman, as Liberal Democrat Chief Whip, and to the hon. Member for East Dunbartonshire. Every other pair that evening was honoured, so the error meant that the right hon. Gentleman was not notified beforehand, because there was not some sort of deep-laid plot to deny the pairing arrangement. Neither the Prime Minister nor the Leader of the House were consulted about the matter. The Government policy remains, as I said earlier, that pairing is an informal and voluntary arrangement between the political parties. We do take the issue of pregnancy pairing particularly seriously, for the very reasons that have led both the business Committee and then the Procedure Committee to highlight this as something that the House ought to address. That is why we will be taking forward the debate on proxy voting in September.

**Sir Patrick McLoughlin** (Derbyshire Dales) (Con): Will my right hon. Friend confirm that the broken pair did not alter the result of the vote and the Government would have still won the vote? Will he confirm that when these things happen the House has to learn lessons from them, but it must be wary of trying to scrap the whole system, as that would mean that Select Committees in this House would not be able to work and a lot of the work that takes place outside the confines of the Chamber would be impossible to continue?
Mr Lidington: My right hon. Friend speaks with considerable experience. It is true that what happened last Tuesday did not actually affect the outcome of the vote. It is worth pointing out that, of the 66 pairs that have been broken since the general election, 14 were broken by the Government and 52 by the Opposition.

Valerie Vaz (Walsall South) (Lab): Thank you, Mr Speaker, for granting the urgent question, and I congratulate the right hon. Member for Orkney and Shetland (Mr Carmichael) on successfully bringing another Cabinet Minister to the Chamber to answer a question about breaking a pair. It clearly shows the seriousness of the political situation facing the Government Chief Whip that the deputy Prime Minister has to come to answer the urgent question, to try to avoid another damaging Cabinet exit. Clearly, the Government Chief Whip decided to phone a friend, and it was not the Leader of the House.

The deputy Prime Minister said that the Government had a better record on pairing. Could he explain what that means because a pair is twice—you have two pairs? The issue is simple: it comes down to the integrity of the word of a member of Her Majesty’s Government, the Government Chief Whip. You will recall, Mr Speaker, that a former Prime Minister, Margaret Thatcher, demanded a rerun of a vote—and got it—from a Labour Government.

The answers in the statements made by the Prime Minister and the Leader of the House on 18 July confirmed that the Government Chief Whip was less than candid with his fellow Ministers, including the Prime Minister, by not declaring that he actively instructed Conservative MPs to break pairing arrangements. It is clear that the Prime Minister and the Leader of the House have unwittingly misled the House by characterising the Government Chief Whip’s action as an “honest mistake”. This is a serious breach of the ministerial code.

Does the Minister for the Cabinet Office believe that the Government Chief Whip’s integrity is above reproach? We are asked to believe that the breaking of the pair for the hon. Member for East Dunbartonshire (Jo Swinson) was an “honest mistake”, while he admits that he ordered others to knowingly break their pairs. Can the Minister confirm that that is the case? Can he confirm that the Government Chief Whip rang those who refused to break their pairs to demand an explanation as to why? If that was the case, that in itself is a clear breach of a number of the Nolan principles, such as integrity and honesty, that form the basis of the ministerial code.

In her foreword to the latest version of the ministerial code, the Prime Minister states that it “sets out the standards of behaviour expected from all those who serve in Government…In abiding by this Code, we will show that Government can be a force for good and that people can trust us”.

I reiterate our offer on Wednesday, following the previous urgent question, to discuss implementing a system of baby leave today without the need for a vote. How do the Government think that the business of the House—including Select Committee visits, international delegations, important ministerial negotiations, and even having a baby—can proceed when they admit that, under this Government Chief Whip, no one can or should trust them?

Mr Lidington: I have to say that when the hon. Lady complained about my right hon. Friend the Chief Whip not being here, I glanced across at the right hon. Member for Newcastle upon Tyne East (Mr Brown) and wondered why he was not at the Dispatch Box instead of her. I suspect that, when he whispers in her ear afterwards, he might suggest to her that trying to apply the Nolan principles to the inner workings of any Whips Office over recent decades would raise a number of difficult challenges.

I will address the serious points made by the hon. Lady. First, only one pair was broken last Tuesday. That was done because of a genuine error in the Government Whips Office, for which the Chief Whip has publicly apologised. Despite that breach having taken place—it ought not to have taken place—the outcome had no effect on the decision that was taken by the House in the particular votes on which the controversy centres. Had that breach not taken place, the Government would still have lost the first vote and would still have won the second vote last Tuesday evening.

We are more than willing to talk to Opposition parties and indeed to Back-Bench Members across the House about how to forge a consensus on the way forward on parental and perhaps other forms of absence but, as I said earlier, exchanges in the House already have indicated that this is not necessarily a straightforward matter. Finally, I have full confidence in the integrity of my right hon. Friend the Chief Whip.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): The key is that this is an informal arrangement and it will always remain so. Mistakes will be made on both sides of the House—that is what happens. I was not allowed to have a pair for my father-in-law’s funeral. My duty was to be here to vote and I stayed here, notwithstanding the fact that I would have liked to have been at his funeral. A lot of nonsense is being talked at the moment. May I also say that the Chief Whip is doing an excellent job?

Mr Lidington: I am very grateful to my right hon. Friend.

Pete Wishart (Perth and North Perthshire) (SNP): The whole issue of this pairing arrangement stinks to high heaven, and we still have not had an acceptable explanation as to why the right hon. Member for Great Yarmouth (Brandon Lewis) observed some whipping arrangements but not others on much more critical votes. The Chief Whip needs to come to this House to explain himself fully because, with all due respect to the Minister, all we are hearing from him is what the Chief Whip has told him. After all of this, surely the Chief Whip should be considering his position today.

We in the Scottish National party are just so grateful that we have absolutely nothing whatsoever to do with this broken pairing arrangement. The more we learn about the insidious workings of this broken arrangement, the more pleased we are that we have nothing to do with it. Members of the public are watching with increasing alarm and horror as this House is being dragged into the gutter and into disrepute once again. What we need is a total review of all our broken voting arrangements in this House. Will the right hon. Gentleman commit himself to that today, to make sure that we can conduct ourselves fairly and equitably and end this nonsense in this House?

Mr Lidington: The hon. Gentleman seems to be working himself into a lather of indignation about an informal practice that he says that he and his party have no
intention of participating in. I suspect that that question was an intentional distraction from the recent publicity on the dismal attendance and voting record of SNP Members in this House.

**Mr Peter Bone** (Wellingborough) (Con): This is, of course, more about Parliament versus Government than anything else. I absolutely accept the assurance of the Chief Whip and the chairman of my party that they made a mistake. The problem is that, until I came to the Chamber today, I had no idea that there had been 2,000 pairs since the general election. The arrangements are made behind closed doors and in secret. If this pairing system was public, and if, each day, the people who were paired were listed or perhaps even removed from the possibility of voting, this would never occur again. What we need is transparency, and I hope that the deputy Prime Minister will look into this matter.

**Mr Lidington:** I understand the case that my hon. Friend makes and the arguments for greater transparency, but I ask him also to reflect on this point. In my experience in this House, Whips Offices in all political parties exercise a very important pastoral role. As in any large workplace, there are often Members who are going through periods of ill health or great family and personal stress, and in those circumstances it is not always right for the pairing arrangements to be made public in a way that might draw attention to the predicament of those Members. I do think, despite what he says, that it is best for these matters to be left to informal agreement between the usual channels.

**Wes Streeting** (Ilford North) (Lab): We know things are bad for the Government when they send out their wisest head and safest pair of hands, but unfortunately the Minister for the Cabinet Office has been sent out to defend the indefensible. In addition to the very serious questions that still surround the pairing arrangements for the hon. Member for East Dunbartonshire (Jo Swinson), it is clear from comments made by Conservative MPs to national newspapers that the Chief Whip ordered them to break their pairs. It is only because of their honour and integrity—and the Chief Whip’s misjudgement and inability to orchestrate a proper stitch-up—that that did not happen. Does the Minister for the Cabinet Office understand the damage that this has done not just to our confidence in the pairing system and with its impact on Members’ welfare, but to the integrity and public perception of this place? What are the Government going to do to repair the reputation of Parliament and to accept that, because they did not win a majority at the last general election, they have to win votes by argument rather than by stitching things up behind closed doors?

**Mr Lidington:** At the risk of repeating myself, the breach of pairing that took place last Tuesday did not make any difference to the outcome of either of the Divisions in question. My right hon. Friend the Chief Whip has undertaken to use the summer recess to carry out a review of the internal arrangements within the Government Whips Office to try to make certain that this type of error, which should not have occurred, can be prevented in the future. I would just say to the hon. Gentleman that perhaps I am getting somewhat cynical over the years, but I do tend to take with a pinch of salt reports in the newspapers about what my colleagues are alleged to have said.

**Andrew Percy** (Brigg and Goole) (Con): I feel that I must leap up. I am a pair breaker. I have done it once—by accident. I was told off by the Whips very quickly. The event that I was due to attend had been cancelled and I simply forgot, so honest mistakes do happen. But this whole incident proves two things: first, that this is a process issue that interests the Westminster bubble, but certainly does not interest my constituents; and secondly, that this system, which has existed for a very long time, generally works. I urge my right hon. Friend to be very careful in changing a system that, despite the odd breakdown here and there—most of which have been committed by the Opposition in recent times—generally works. If it ain’t broke, don’t fix it.

**Mr Lidington:** My hon. Friend makes an important point. The very fact that we are talking about 66 pairs having been broken for one reason or another since the general election, out of a total of around 2,000 agreed pairs, tells its own story.

**Conor McGinn** (St Helens North) (Lab): Allegations have been made and it is clear that there was a “misunderstanding about the pairing and voting arrangements”—[Official Report, 22 June 1976, Vol. 915, c. 1361.]

Those words were uttered in 1976 from the Government Dispatch Box by the then Prime Minister, James Callaghan, during a similar controversy. He and the then Leader of the Opposition agreed that the only way to resolve matters was for the Chief Whips to meet and the vote to be rerun. Precedent has been set. When will the Government show the integrity that I know the Minister for the Cabinet Office and many Government colleagues possess in abundance?

**Mr Lidington:** The difference between the incident in the 1970s that the hon. Gentleman cites and what happened last week is that the majorities—both against and for the Government—in the two Divisions were completely unaffected by what happened over pairing.

**Mr Jacob Rees-Mogg** (North East Somerset) (Con): I have probably not always been the blue-eyed boy of the Whips Office, but I have found that this Chief Whip and his predecessors have always behaved with the utmost honesty and integrity. Confected anger and attacking my right hon. Friend does not help the House—in fact, it does not help anybody—because this system generally works. We should be very cautious about moving towards proxy voting because, had I taken the paternity leave due to me, I can think of no one I would have less liked to have held my vote than the Chief Whip.

**Mr Lidington:** I am grateful to my hon. Friend, although I have to give him this warning: those who start out not being the blue-eyed boys of the Whips Office usually end up being recruited into it.

**Mr Speaker:** Well, the hon. Member for North East Somerset (Mr Rees-Mogg) does not exactly look heart-warmed by the prospect that redemption awaits him.

**Crispin Blunt** (Reigate) (Con): It would be frightfully good for him.

**Mr Speaker:** Good for him? Well, that’s a divisible proposition.
Stella Creasy (Walthamstow) (Lab/Co-op): The Minister says that we should not believe the press reports that we have seen, so can he settle this matter once and for all? Did the Chief Whip also call other MPs and ask them to break the pair alongside the right hon. Member for Great Yarmouth (Brandon Lewis)? Because if he did, that is not a mistake, it is a policy.

I say to the hon. Member for Brigg and Goole (Andrew Percy) that this does matter, because if the public cannot trust the Government to organise themselves, how can they trust them to organise a country?

Mr Lidington: Every pair other than that with the hon. Member for East Dunbartonshire was honoured last Tuesday.

Philip Davies (Shipley) (Con): As you will know, Mr Speaker, if I think that someone in government should lose their job, I am not afraid to say so. As you might imagine, I, like my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), have had my fair share of run-ins with the Chief Whip. However, I always found him, even when we had fundamentally disagreed, to be a man of complete honour, of his word and of integrity. That also goes for the other members of the Whips Office with whom I have had fundamental disagreements. Does my right hon. Friend agree that the Chief Whip's integrity should not be questioned in any shape or form, and that anybody who knows him as well as we do would know that to be the case? Is this not really an attempt by the Liberal Democrat Chief Whip to avoid the embarrassment of the fact that he could not get the leader of his own party, or his immediate predecessor, to vote in a Division last Monday that the Government won by only three?

Mr Lidington: I do not know whether that was an eloquent bid to be the beneficiary of future pairing arrangements, but my hon. Friend makes an important point. I think it is true that Conservative Members right across the spectrum, from left to right of my party, have always found the Chief Whip to be someone with whom they can do business and whose integrity and honesty they can completely trust.

Rachel Reeves (Leeds West) (Lab): With four Members of the House on maternity leave at the moment, this issue is particularly poignant, and I fear that many of those people will have lost faith in the system as it currently exists. When I was on maternity leave with my first child, the campaigning group 38 Degrees contacted my constituents criticising me for not attending a vote, but at least I knew that I was paired and that it was cancelled out. The right hon. Gentleman says that we will be discussing proxy voting in greater detail in the autumn, and that is welcome. However, when does he expect reform to take place to allow proxy voting, as recommended by my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman) and the right hon. Member for Basingstoke (Mrs Miller), so that it actually happens and we are not reliant on this informal system?

Mr Lidington: I think that after the general debate on the matter there will need to be, at some stage in the not too distant future, a substantive motion on which the House can take a view. Important questions were raised in the Procedure Committee report—for example, about the exclusion from a general proposal for proxy voting while on maternity, paternity or adoption leave of particular categories of Division in the House. The Committee discussed various approaches to how a proxy vote might operate in practice. The House needs to consider those things, as well as the points about the potential for bereavement leave or carer’s leave that other hon. Members on both sides of the House have raised.

Sir Robert Syms (Poole) (Con): We know that the system actually works pretty well. The Minister has given the figures that show that occasionally, for a variety of reasons, pairs get broken. In those cases, an apology is required, very quickly, and we had an apology from the two individuals in question that should settle the matter. The reality, though, is that this is the worst system except for all the alternatives.

Mr Lidington: My hon. Friend has hit the nail on the head.

Chris Bryant (Rhondda) (Lab): I do worry about what happened last week and about the explanations that have subsequently been given. It is certainly true that, as the hon. Member for Brigg and Goole (Andrew Percy) suggested, sometimes people do, inadvertently, accidentally and without any malice aforethought, break the Whip—[Interruption.] I am sorry—break the pair. People frequently break the Whip—that is a common feature on all sides these days. Sometimes people break the pair, and then they are always told off by the Whips for doing so, because it is the Whips’ own honour that is then in question—that is the point. The difference in this case is that the Chief Whip deliberately—not as an error but deliberately—sought to get somebody he knew to be paired to break that pair. That is a fundamental difference.

I say to the Minister that we need to get this sorted before the autumn, not just have a debate about it. The temperature in politics this year and in this Parliament—as well as the physical temperature—has already been very high, and we really do need to get it sorted. Otherwise we will be putting temptation in the Chief Whip’s way every single day of the week, all the way through to 29 March next year.

Mr Lidington: As my right hon. Friend the Leader of the House said in business questions last Thursday, she is willing and indeed keen to engage with right hon. and hon. Members on both sides of the House to see whether we can agree, as consensually as possible, a way of addressing these matters in the future.

Mr Mark Francois (Rayleigh and Wickford) (Con): I declare an interest: I have always had considerable time for the right hon. Member for Orkney and Shetland (Mr Carmichael), not least since we served together as senior Whips in the Government Whips Office during the days of the coalition Government. As he will recall from those halcyon days, occasionally—incredible though it might sound—things in the Whips Office went wrong, and it was usually the result not of a conspiracy but of a mistake. I submit to him and the House that that is what has happened here, and it would be a great mistake on our part to change our well-established procedures because of an unfortunate incident for which both of those responsible have profusely apologised.
Mr Lidington: It is a good principle that hard cases make bad law, and I think my right hon. Friend is right.

Andy Slaughter (Hammersmith) (Lab): What matters for present purposes is that two senior members of the Government conspired to break the rules to win a vote they thought they might lose. If I am wrong about that, can the Minister explain why? If I am right, why are they still in their posts?

Mr Lidington: An error took place. Full apologies have been given.

Mr Marcus Jones (Nuneaton) (Con): This looks to have been a genuine error, for which a sincere apology has been given. My right hon. Friend has made it clear that this type of error has happened not just on the Government side but on both sides of the House, so I find the level of faux outrage in some quarters very strange. The system generally works well, and I would encourage him not to throw the baby out with the bathwater but to work with his counterparts, particularly in the Whips Offices of other parties, to make sure that the system can be looked at and improved on to avoid these types of errors, which are clearly happening on the Government side and in other parties.

Mr Lidington: My hon. Friend gives good advice that I am sure my colleagues in the Whips Office will wish to follow.

Alison Thewliss (Glasgow Central) (SNP): If the Government are prepared to take advantage of pregnant women and women who have recently had babies, surely we can have very little trust in their integrity. Would a good way to restore integrity not be to circulate something beforehand so that we can have a votable motion when we come back in September to allow baby leave and proxy voting to go ahead?

Mr Lidington: As I have repeatedly said, what happened last week was a genuine error. It ought not to have happened. The Whips Office is taking steps through its internal procedures to try to prevent a repetition, and the Leader of the House is eager to talk to Members from all parties in the House about the way forward to address the points the hon. Lady refers to.

Greg Hands (Chelsea and Fulham) (Con): Like my right hon. Friend the Member for Orkney and Shetland (Mr Carmichael), and he and I will remember all kinds of cock-ups, for want of a better term; people inadvertently paired twice, people who thought their pair was transferable, and so on. All these things can and do happen. In my view, this is much more likely to have been a genuine mistake, so does my right hon. Friend agree that it would be a poor decision to base long-term practice on this one case, however high-profile?

Mr Lidington: Yes.

Tom Brake (Carshalton and Wallington) (LD): Consciously telling an MP to break a pair is not an error; it is cheating. Was the Chief Whip offered the opportunity by the Government to come to the House today to explain his error?

Mr Lidington: For the reasons I explained earlier, I am responding on behalf of the Government. I ask the right hon. Gentleman to accept what my right hon. Friend the Member for Orkney and Shetland accepted last week, which was the public apologies given by the Minister without Portfolio, my right hon. Friend the Member for Great Yarmouth, and the Chief Whip.

Jeremy Quin (Horsham) (Con): With 2,000 pairs granted, does my right hon. Friend agree that mistakes, while rare, are far from unknown? They are even not unknown to the Liberal Democrats.

Mr Lidington: My hon. Friend is correct. Of the 52 pairs broken by Opposition parties, seven were broken by Liberal Democrats. Indeed, four Liberal Democrat MPs have broken pairs, or roughly a third of the party’s Members of Parliament.

Clive Efford (Eltham) (Lab): So the Government’s defence is that this very rare occurrence where a pair is broken happened by accident, but it just so happened that it was on a vote that the Government feared they might lose. Outside the House, that might be described in unparliamentary terms. MPs from the Conservative side have been reported in the press saying that they were rung by the Chief Whip and told to break their pair, but refused to do so. Is the Minister saying those people misinformed the media?

Mr Lidington: All other pairs were duly honoured last Tuesday. The error that took place in respect of the pair with the hon. Member for East Dunbartonshire had no impact on the result of either Division.

Rachel Maclean (Redditch) (Con): We obviously work in a not very family-friendly workplace. It is incredibly difficult for new mums and dads to combine that role with voting in the House. I certainly would not expect maternity leave to last up until the age of my youngest child, who is 19, but does the Minister not agree that the Government give an incredibly generous offer with maternity pairs? Unlike the workplace, there is no time limit for new mums to take advantage of the system, within reason. Does he not agree that the system should be welcomed and should continue?

Mr Lidington: My hon. Friend is right, and I am grateful to her for acknowledging that while mothers who are Members are rightly at the forefront of our concern, we also have maternity leave. That is one area where I had some fellow feeling with what the right hon. Member for Orkney and Shetland (Mr Carmichael) said last week. I can remember being in the delivery suite with my wife for the birth of one of our sons and being interrupted through the night at 90-minute intervals by the Government Whips Office asking when I was going to be available to come into Westminster.

Steve McCabe (Birmingham, Selly Oak) (Lab): I am sorry, but what most people out there are asking is simple: is there any rule that a Minister in this Government cannot get away with breaking?
Mr Lidington: The arrangements on pairing are not rules set out in Standing Orders. They are informal conventions, and it is right that they should remain such.

Andrew Jones (Harrogate and Knaresborough) (Con): It is clear how easy it is for mistakes to be made in this area, and my right hon. Friend has confirmed that all parties have made mistakes. Indeed, the right hon. Member for Orkney and Shetland (Mr Carmichael) made a mistake and put his own party leader in the news a few days ago. The system works to support colleagues across the House. Does my right hon. Friend agree that the system should be maintained?

Mr Lidington: Yes, I do.

Robert Courts (Witney) (Con): Does my right hon. Friend agree that pairing is one of the things that makes this place work? We should keep last week’s events in their full context and recognise that, by and large, the system works and should be maintained.

Mr Lidington: Yes.

Luke Hall (Thornbury and Yate) (Con): This seems to be an honest mistake, for which the Chief Whip has apologised. Of the seven pairs broken by the Liberal Democrats since the general election, is my right hon. Friend aware how many times they have apologised for breaking those pairs?

Mr Lidington: I think that is a question for the right hon. Member for Orkney and Shetland, rather than for me.

Nigel Huddleston (Mid Worcestershire) (Con): The informal ways of working in this place can be both a strength and a weakness. Does my right hon. Friend agree that it is quite important every now and again to reflect on the fact that the composition of the House has changed, the world outside has changed and technology has moved on, and we need periodically to look at those informal processes and see whether some of them need formalising?

Mr Lidington: It is certainly right that we review things in the light of changing technology and changing circumstances, and that is what the Leader of the House wishes to do.

Gareth Johnson (Dartford) (Con): May I ask my right hon. Friend to be cautious about allowing this matter to take the House down the route of proxy voting, which has huge downsides? Quite often, we are asked to consider serious matters in this House, where the debate affects the way people vote because it changes their mind. The solution is surely to improve the pairing system, rather than to ditch it completely.

Mr Lidington: My hon. Friend’s question illustrates why it is important that we have the general debate and seek to obtain as wide a consensus as possible.

Peter Heaton-Jones (North Devon) (Con): This is a serious matter, but does my right hon. Friend agree that an error was made and has been admitted, an apology has been issued and accepted, and we should now move on? I have full faith in the integrity of our Chief Whip, but I have less faith in the true motives of the Liberal Democrats in bringing this forward, because it seems to be an attempt to cover up their own woeful record in this department.

Mr Lidington: My hon. Friend’s description of what happened last week and the course of action he now recommends are spot-on.

Tom Pursglove (Corby) (Con): Has my right hon. Friend given any thought to publishing the pairing performance data that he has mentioned? In that way, people in the country could make up their own minds about the various trends across all parties in the House since the general election.

Mr Lidington: Precisely because these are informal arrangements, I do not think we should be looking for regular statistical bulletins on this matter. The figures I read out earlier in the exchanges make the point that, for the most part, the pairing system works very well.

Huw Merriman (Bexhill and Battle) (Con): Having spent more time than I wished with the Chief Whip going through matters that I found very difficult indeed, I can attest to the fact that not only is he a stickler for the rules, but he is very kind and compassionate when it comes to domestic matters. I hope that will be taken into account by Members on both sides of the House when I say that I favour some form of reform. If mistakes can occur, it is important that we as a House look at how to come up with a better system in which mistakes do not occur.

Mr Lidington: I am grateful to my hon. Friend, and I agree with him.

Mike Wood (Dudley South) (Con): I benefited from pairing arrangements on a number of occasions last year. I do not have a clue which Opposition Members I was paired with, or whether any of those pairs were broken. Does my right hon. Friend recognise that the pairing system generally works very well for many people who need a pair—whether because of serious illness, parental leave or bereavement leave—and most of our constituents, once they know the facts, do actually understand why some of us may miss votes for a period?

Mr Lidington: We all remember when my hon. Friend was seriously unwell and had to be absent from the House for a time. He, like many others in all political parties over the years, has benefited from the informal arrangements that the Whips Offices of the different parties have negotiated on pairing. In the furor over events last week, it is important that we do not lose sight of the important tool that the pairing system offers in relation to effective pastoral care for right hon. and hon. Members.

Maggie Throup (Erewash) (Con): Does my right hon. Friend agree that we hold a unique position of privilege, that on matters of such importance as Brexit legislation, our constituents therefore expect us to vote in person on their behalf whenever possible, and that just one high-profile error should not change the system we have in place?
Mr Lidington: The Procedure Committee report on proxy voting and parental absence suggested a number of exceptions that, in its view, should be made to its general recommendation to allow proxy voting, so my hon. Friend makes an important point.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I speak with great authority and experience, having been refused every single pair that I have ever applied for. Be that as it may, will my right hon. Friend adopt the principle of Chesterton’s fence, namely that reforms should not be made until the reasoning behind the existing state of affairs is properly understood?

Mr Lidington: These are exactly the arguments that we will have the opportunity to debate in September.

Mr Speaker: Will Quince.

Will Quince (Colchester) (Con): Thank you, Mr Speaker; last but I certainly hope not least. I served on your diversity and inclusion panel, and we looked at this hugely complex issue in great detail. It is clear to me that what is proposed as a response to pairing is not a panacea. It is hugely complex and posed as many questions as it provided answers to, so can I ask my right hon. Friend not to rush but to tread very carefully, so that we as a House get this right?

Mr Lidington: I think that rushed procedural changes often leave the House repenting at leisure. I also think that a procedural change to voting such as is now proposed should command as wide a consensus in the House across political parties as it is possible to obtain.

Points of Order

5.16 pm

Amber Rudd (Hastings and Rye) (Con): On a point of order, Mr Speaker. The right hon. Member for Hayes and Harlington (John McDonnell) and his shadow Treasury team, whose names escape me right now, visited my constituency of Hastings and Rye over the weekend, yet failed to alert me to the fact that they were coming. Could I ask for your advice, Mr Speaker, on how I might encourage Members to come in a personal capacity to the fantastic town of Hastings, which has had record investment since 2010, but to alert me perhaps earlier if they are coming on a political visit?

Mr Speaker: I am grateful to the right hon. Lady for her point of order. Such points of order are by no means uncommon—in fact, they are very frequent in the Chamber—and it is regrettable that this should be the case. I understand that she has alerted the right hon. Member for Hayes and Harlington (John McDonnell) to her intention to raise this point of order. I can confirm readily that it is a well-established and important convention that Members should alert each other to prospective visits to the other’s constituency if those visits are of a public or potentially public character. It is in all our interests that this courtesy should be observed. It has to be said that it is frequently observed in the breach rather than in the observance, and by Members on both sides of the House. The right hon. Lady has drawn attention to a breach. I hope that it will not be repeated, and I thank her for what she has said.

Clive Efford (Eltham) (Lab): On a point of order, Mr Speaker. I raised in the House the case of my constituent who had his personal independence payment stopped. He has an inoperable brain tumour; he has intractable epilepsy, which means that he could collapse without warning; and he has the onset of Parkinson’s disease. On 2 July, the Minister for Disabled People, Health and Work mentioned at the Dispatch Box that she would meet me to discuss this case. Despite several attempts by my office to contact her office and arrange that meeting, it has still not been possible to arrange it. I wonder whether you could assist me in expediting this, Mr Speaker, so that I can represent my constituent.

Mr Speaker: I am grateful to the hon. Gentleman for his point of order. The very short answer to him is that if an offer of a meeting is made, whether in response to a point of order or, as in this case, in an answer to an oral question, that commitment should be honoured sooner rather than later. If the hon. Gentleman is asking me—/Interruption/ Order. Mr Kerr, I am dealing with a point of order.

With the greatest respect, I am usually very interested in what the hon. Member for Stirling (Stephen Kerr) has to say, but at the moment I have not got the foggiest interest in what he is burbling about from a sedentary position, because I am responding to a point of order, and I intend so to do. If he is interested in listening, he can listen quietly; and if he is not interested, he is welcome to leave. I do not really care which of those courses of action he follows, but it had better be one or the other.
In response to the hon. Member for Eltham (Clive Efford), I would say that the offer of a meeting should be honoured sooner rather than later. If the hon. Gentleman wants an idea of a broad rule of thumb, I should have thought that it was reasonable within 24 hours of an oral exchange for contact with his office to have been made by a ministerial office, which is a well-staffed office. I would very much hope, particularly in a matter of very great sensitivity and potentially great urgency, that a meeting would be arranged within a week or so.

If the hon. Gentleman is telling me that three weeks later such a meeting has not been arranged and there has been no substantive contact, frankly that just isn’t good enough. That would apply whichever party was in power, just as it is not good enough if weeks after a Member has tabled a written question there has been no substantive reply.

There is a Whip sitting on the Treasury Bench, who might as well perform a useful function. One useful function that the Deputy Chief Whip, which I think is his current title, could perform would be to contact the Department concerned and say, “Get it sorted.” The right hon. Gentleman, if he is a right hon. Gentleman—I am pleased if he is, and if he is not, no doubt it is a matter of time—should get it sorted today. I hope that that is what will happen.

Stephen Lloyd (Eastbourne) (LD): On a point of order, Mr Speaker. Four and a half weeks ago, Bishop James Jones published a report on Gosport War Memorial Hospital that indicated that at least 460 elderly people had died inadvertently by infusion of opiates. I immediately wrote to the Prime Minister expressing my gratitude that the relatives had finally got to the truth, but expressing their desire and demand for justice. I invited the Prime Minister to implement a criminal inquiry. Parliamentary protocol states that the Prime Minister or No. 10 must respond to MPs’ letters within 20 working days. Mr Speaker, it is now 22 working days and I have yet to hear anything. I ask your advice on how I could pursue this matter, so that No. 10 responds to my letter.

Mr Speaker: I must say I am disappointed to hear of the hon. Gentleman’s experience. I have always found the Prime Minister to be a person of unfailing courtesy. That has been my personal experience. I am sorry if he has had a bad experience. In a sense, I think my response to him is not altogether dissimilar to my response to the hon. Member for Eltham (Clive Efford), who has also just raised a point of order.

By raising this on the Floor of the House in this way, which the hon. Member for Eastbourne (Stephen Lloyd) was obviously loth to have to do, he should elicit a reply sooner rather than later. As we go into recess tomorrow, I would certainly expect that he would get an answer from the Prime Minister’s office within the next day or two. If that is not the case, I rather imagine he will be putting down a named-day question, but it should not be necessary for the hon. Gentleman to have to do that.

At one time, there was a considerable improvement in the speed of replies to written questions. It is important that standards are maintained. If standards slip, conventionally it has been the responsibility of the Leader of the House—I know she takes it seriously—and possibly the Whips Office to ensure that those standards are restored. This is not a trifling matter; it is important. I hope the hon. Gentleman will be afforded the courtesy that is warranted.

BILL PRESENTED

CATS BILL

Presentation and First Reading (Standing Order No 57)

Rehman Chishti presented a Bill to require the driver of a mechanically propelled vehicle involved in an accident resulting in injury or death to a cat to stop and give information or report the accident to the police; to require the keepers of certain cats to ensure they are microchipped; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 256).

Mr Speaker: I hope that is reassuring to people attending to our proceedings. [Interruption.] A Whip chunter from a sedentary position, “Cat’s whiskers.” Well, the Bill may cover the matter of whiskers or it may not. We shall have to see. The sooner we learn about the detail of the Bill the better. [Interruption.] I see the hon. Member for Stirling (Stephen Kerr) is still enjoying his conservation, but at least he is doing so in an orderly way.
Strengthening the Union

5.24 pm

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I beg to move.

That this House has considered strengthening the Union.

The Prime Minister and the Government have said, time after time, that it is our responsibility and duty to govern for the whole of the United Kingdom. The UK Government are responsible for governing for the benefit of everyone in Scotland, England, Wales and Northern Ireland, but this reality is perhaps easy to forget. Devolution has changed the constitutional landscape of the United Kingdom, and with multiple Governments working across our four nations, it is perhaps easy to forget the value that this concept—this thing we call “the Union”—brings to us all, but the Prime Minister’s words show that this Union cannot and should not be taken for granted. It has always been of profound importance to all of us. It is central to our wellbeing, our security and our prosperity, as well as to who we are, whether we are from Scotland, Wales, England or Northern Ireland. It is a part of our identity as citizens of the United Kingdom, so I welcome this timely opportunity to discuss our Union of four nations.

I have the privilege of travelling regularly across the nations of the UK in my role as constitution Minister—I was also formerly a Minister in the Northern Ireland Office—and I see the strengths of our country. It is clear as it should be—at the heart of the Government’s approach. All parts of the UK need to work together to seize the opportunities of, for example, leaving the European Union. Being part of a bigger and stronger UK benefits all citizens in its four nations.

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Wes Streeting (Ilford North) (Lab): Perhaps the Minister can explain, then, why the former Foreign Secretary described Northern Ireland’s role in the Brexit process as “the tail wagging the dog” and sought to dismiss the serious concerns about the prospects of a hard border between Northern Ireland and the Republic of Ireland, or indeed, between Northern Ireland and Great Britain. Perhaps she can explain why that was and dissociate the Government from those comments, now that the former Foreign Secretary has dissociated himself from the Government.

Chloe Smith: The hon. Gentleman did the job himself in the final few words of his intervention. I will look forward to some better ones as we go on.

Let me start with a few points on identity. The individual identities of each of the four nations remain strong. We could ask any of the millions of football fans who watched England’s endeavours in Russia about that. Each of us is proud of our distinct history and culture and our different traditions, but we also see this through amazing events such as the Royal Highland Show and the Royal Welsh Show—taking place later this week—which, of course, Cabinet Ministers attend and support.

Although our distinct identities are proudly held, perhaps particularly when we are watching sport, there is another set of values and ideas that unite us all, from Coleraine to Colchester and from Campbeltown to Caernarfon. The values of tolerance, democracy, equality and fairness are central to who we are as citizens of the United Kingdom. We may disagree over whether we prefer Scotch whisky—I mean whisky. It sounds as if I have already been on the whisky, Madam Deputy Speaker! Let me start that sentence again. I am going to attempt to get through a sentence that compares Scotch whisky to English ale, to Northern Irish scones, to Welsh cakes—I may well get to the end of that sentence with a cheer from the House. Whichever one of us has the better cakes or drink, or the more noble history, we are united in our deeper beliefs, democratic traditions and our long history of working as one to benefit us all. When we come together as one people, we benefit from the security and stability that comes from being one of the largest economies in the world, pooling risks and sharing benefits.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Minister talks about benefiting all, but as she is aware, the UK is the most unequal state in the European Union, with inner London by far the richest part of the EU while the communities that I represent are among the poorest, yet in Government figures published in the last few weeks, public expenditure per head in London is higher than in Wales. Why is that fair?

Chloe Smith: The hon. Gentleman highlights an important point that we will have the opportunity to consider when we look at issues such as leaving the European Union and how we will address, for example, agriculture support across our nation. The point I was making is that we are a larger economy when we are together as a Union, and that means we can do things together in a more effective way for all our constituents.

Chris Elmore (Ogmore) (Lab): I speak as a proud Unionist, and I am very much in favour of the Union. The Minister must understand, however, that there are considerable concerns about Brexit and the Government’s long-term plan for regional continued development, which benefits my constituency enormously—structural funding, for example, and agricultural funding. Those uncertainties are not helping to keep the Union together. On direct funding to Wales, she has to accept that cutting electrification to Swansea from Cardiff and not supporting the tidal lagoon does not give us enormous confidence about this Government investing in Wales and its communities.

Chloe Smith: I am sure that we will come on to all those points during the debate. However, the hon. Gentleman and the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) were right to raise them, because it is in recognition of such issues that the Government plan to create a shared prosperity fund for the whole of the United Kingdom. We share those goals; we share those opportunities.

Sammy Wilson (East Antrim) (DUP): I am sure that many Members from all over the United Kingdom will point to the inequalities and the lack of growth in some parts of our economy, but does not being part of the United Kingdom mean that fiscal transfers from parts of the UK that generate more revenue than others help Northern Ireland, Wales, Scotland, and many English regions?

Chloe Smith: That is precisely my point. When we see what we can do as a larger economy—when we see how we can attract the finest and the best across the UK economy—we also see that we are in a position to put that back
into public services, including the NHS and many other services that are admired around the world, and which work together to make everyone’s lives better. That is true throughout the Union.

Ian Murray (Edinburgh South) (Lab): Will the Minister give way?

Chloe Smith: I must make a few more moments of progress. We have a full debate ahead of us on the strengths of the Union.

Let me say something about the shared economy and the strong internal market, which is one of our biggest strengths, and which is important for our prosperity. The UK internal market is, of course, the vital first market of the UK. As one of the largest economies in the world, we buy and sell among our nations, and that creates wealth and jobs for every part of the UK.

As we leave the EU, we must protect the benefits of the UK domestic market. We are a world leader in financial services, defence technology, car production, food and drink, digital technology, energy, music, films and television, and all parts of the UK have their role to play in those world-leading industries. Scotland’s exports to the rest of the UK are worth four times more than those to the EU, and 56% of Northern Ireland’s external sales are to the rest of the UK. We as a Government are committed to strengthening these links between the economies of our nations. For example, between England and Wales we are abolishing the Severn bridge tolls and investing in cross-border railway links such as the Halton curve. Let us not forget how many people cross our internal borders every day as part of normal life. As the Prime Minister pointed out during her speech in Northern Ireland on Friday, our Union is rooted in both our history and our collective achievements, but it is our future together that is our greatest strength.

Ian Murray: Will the Minister give way?

Chloe Smith: Yes, I will now.

Ian Murray: I am very grateful to the Minister—and may I compliment her on her rather fine Sean Connery impression earlier in her speech?

The Minister has just reeled off a list of service industries in this country, which, of course, are not covered by the Chequers agreement. What analysis has her Department conducted of how much the UK’s GDP will be reduced as a result of that agreement?

Chloe Smith: I do not think the hon. Gentleman can have been listening when I included, for example, car production and food and drink in my list, but the point is that the Chequers agreement seeks to secure the best deal for the whole UK economy, together. That covers both goods and services in different ways—in ways that will complement our strengths—but it also returns us to the key point about the whole UK economy, together.

Let me now say something about the industrial strategy. It is a vital part of the plan set out by the Prime Minister to drive growth across the whole UK, and to create more highly skilled, highly paid jobs and opportunities. It is intended to address the long-term structural challenges that can hold British businesses back, while building on the country’s strengths. New sector deals and investment and research and development will support the industries of the future where the UK has the potential to lead the world, from electric vehicles to biotech and quantum technologies.

It is important that we continue to look to the future. As was announced earlier this month, a £2.5 million grant has been awarded for a spaceport site in Sutherland, on the north coast of Scotland. That the first ever satellite launch from the UK could be from Scottish soil highlights our commitment to investing in all parts of the UK, and there are other launch sites too, such as those planned in Cornwall, Glasgow and Snowdonia, which will also be boosted by a new £2 million development fund. The UK is set to build on its world-leading expertise in aerospace with the development of these spaceports.

On the city and growth deals, we are supporting clusters of cultural and economic strength concentrated in places throughout the UK, and we want to see city and growth deals across the four nations to ensure that prosperity is shared across the UK. We have already seen important investments in a number of deals such as Cardiff, Glasgow and Swansea, as well as investment in other important cultural work such as the V&A in Dundee. Further deals are being developed. We have recently announced the Stirling and Clackmannanshire city region deal, and negotiations have been opened on the north Wales growth deal and with the Belfast city region partners. These deals make a vital contribution to local economies and, as I have said, provide jobs and growth across the UK. There is more, of course. In Cardiff, we have invested in the development of a compound semiconductor industry cluster; and in Aberdeen we opened the oil and gas technology centre with an investment of £180 million, which will unlock the full potential of the North sea and anchor the supply chain in north-east Scotland.

Transport and connectivity are also crucial themes. As we support clusters of growth across the Union we must be connected geographically through our transport and infrastructure links. The expansion of Heathrow will help with this, creating hundreds of additional flights per week from London to the nations and regions across the UK, with new routes emerging to support our economic co-operation. As well as the importance of being connected geographically, the Government recognise that world-class digital connectivity is essential for the modern world; it is essential to people at work and at home and we are committed to improving that across the UK. We are investing over £1 billion to stimulate the market to build the next generation of infrastructure that the UK needs for the future through both the national productivity investment fund and the digital infrastructure investment fund.

Turning to international benefits, the strength in our unity of nations is demonstrated by our common voice on the international stage. We use our seat at the top international organisations to protect the interests of all parts of the UK, to influence issues that matter to people in the UK, and to make the world a better place. When we faced an attack on our citizens, we worked with countries around the world to respond. We use our influence to pursue issues that matter to people across the UK: leading the way on international aid, leading global action to tackle landmines, stopping the trade...
in ivory, and combating modern slavery. People across the UK can be proud of the role we can play because we are together in our international approach.

That international standing is also vital to the security of our country. Our UK defence expertise and excellence is joined up across the UK and has been built up across decades, from new radar stations in Shetland and Cornwall, to Scottish-built aircraft carriers based in Portsmouth, fast jet response aircraft in Lossiemouth and Lincolnshire, the SAS in Hereford, GCHQ in Cheltenham and the Royal Marines commandos in Arbroath. This is one very large UK defence network protecting us all at home and abroad. And we are spending across the country to be able to keep the whole UK safe. In the last financial year the Ministry of Defence spent £1.6 billion with Scottish industry and commerce, while a recent review found that defence invests £945 million in Welsh industry. The spectacular fly-past we saw only last month as part of the Royal Air Force’s 100th anniversary celebrations reminds us of the work of all our armed forces, who are drawn from, and based across, the whole of the United Kingdom. We saw the same at last month’s Armed Forces Day in Llandudno; it was a proud display of Wales’s military association, while the Edinburgh Tattoo demonstrates Scotland’s strong relationship with the military.

I am also proud that the UK Government recently announced that we will reimburse thousands of military personnel who would otherwise be negatively affected by the devolved Government’s income tax increases in Scotland. This protects nearly three quarters of all armed forces personnel liable for Scottish income tax and will help with recruitment and retention for our important armed forces.

Douglas Ross (Moray) (Con): May I take this opportunity to congratulate the Minister on the ninth anniversary of her election to this place? Perhaps that is why the whisky and the cake were getting muddled up in her mouth—maybe she has been celebrating early. On the point about the UK Government mitigating the “nat tax” in Scotland, does she agree that it was important for my constituents at RAF Lossiemouth and at Kinloss barracks that the UK Government did something to address the fact that the Scottish National party has made Scotland the highest taxed part of the United Kingdom, which was having a negative impact on recruitment and retention for our armed forces in Scotland?

Chloe Smith: Yes, that is exactly why the UK Government took those steps, and we are proud to have done so.

Stewart Malcolm McDonald (Glasgow South) (SNP): A freedom of information request has just shown today that the Ministry of Defence is not paying 220 people the living wage in Scotland. Why?

Chloe Smith: I confess that I am not in possession of that information, and I am not in a position to give the hon. Gentleman the answer to that question right now. I wonder whether the Under-Secretary of State for Defence, my hon. Friend the Member for Pudsey (Stuart Andrew), might be able to assist with that a little later in the debate.

I want to move on to the importance of devolution, which is a matter of interest to us all. Our powerful devolved Governments and Parliaments are important elements of our Union’s strength. The Union is best maintained by giving the different nations of the UK the ability to pursue their own domestic policies while protecting and preserving the benefits of being part of that bigger UK family of nations. The UK Government respect devolution as an exercise in better governance and as a way to bring the delivery of services closer to the people who need them, while making use of the benefits of scale across our four nations. Since 1998, the Government have transferred powers to ensure that they sit where they can most effectively be delivered, and the Scotland Act 2016 transferred a wide range of powers to the Scottish Government and the Scottish Parliament. The Wales Act 2017 has delivered clarity for Welsh devolution and accountability for the Welsh Government, meeting the commitments that we made in the St David’s day agreement. Devolution in real terms makes a difference to people’s lives across the UK.

Northern Ireland makes a major contribution to the Union, and also derives great benefits from it. The principle of sharing the economic and political strengths of the Union continues to serve the interests of the people of Northern Ireland, and we are working each day to make sure that that remains the case. Northern Ireland’s place as an integral part of the United Kingdom are of course enshrined in the Belfast agreement and its successor agreements.

Sammy Wilson: Northern Ireland suffered from 40 years of terrorism at the hands of those who wished to overturn the democratic wishes of the people of Northern Ireland. Will the Minister accept that one of the benefits of the Union was that the people of Northern Ireland did not have to stand alone against that terrorist threat but were able to bring to bear all the powers of the security arrangements that were available in the United Kingdom in order to defeat terrorism? Was not that an important benefit of the Union?

Chloe Smith: Yes, I think that is right. The right hon. Gentleman also reminds us of the importance of the principle of consent that is there in the Belfast agreement—namely, that the UK Government govern for the benefit of all communities in Northern Ireland on the principle of consent.

Jim Shannon (Strangford) (DUP): I am sure the Minister recognises the contribution of the people in uniform in Northern Ireland. Conscription was never needed, because people volunteered, and Northern Ireland has the biggest levels of recruitment across the whole of the United Kingdom of Great Britain and Northern Ireland. We have the largest number of recruits to the Territorial Army reserves of anywhere in the United Kingdom of Great Britain and Northern Ireland. This is a sure example of our contribution to the greater nation in uniform, whether in the Army, the Royal Navy or the Royal Air Force.

Chloe Smith: I join the hon. Gentleman and everyone in the House in paying tribute to those who serve this country in uniform. We should never forget them.

Let me return to my point about the Belfast agreement, which was reached 20 years ago and was a landmark moment in the history of our islands. The UK Government’s priority is to ensure that it remains as relevant today as it should be, and to restore the devolved institutions at Stormont. All efforts are being made in
the hope that an accommodation can be reached and an Executive formed, so that Northern Ireland Ministers can take key decisions. Successive UK and Irish Governments, together with all the parties in Northern Ireland, worked tirelessly to bring about the historic achievement of peace. Let us continue that work.

As hon. Members will know, EU exit will result in a further significant increase in the decision-making powers of the devolved Administrations.

Stephen Kerr (Stirling) (Con): On the new powers that will come to the Scottish Government in particular, it has never been more important that the UK Government, the Scottish Government and all the devolved Administrations work very closely together. What we have seen over the past year, at least in my estimation, is that there are, at times, chasms that divide the UK Government and the devolved Administrations. The machinery to bring those different Governments together seems to be inadequate. Does the Minister agree? Is that something to which the Government will attend?

Chloe Smith: Mr Speaker—I interrupt. I am sorry, Madam Deputy Speaker. I have clearly had yet more of that whiskey—I keep referring to you as “Mr Speaker.”

Madam Deputy Speaker, my hon. Friend makes two important points. First, he says that we need to be able to come together as a single United Kingdom to make sure that our UK internal market continues to function and continues to bring the benefits that are needed across the internal borders of our country. He also looks ahead to my points about how we can relate to each other in the governmental work we need to do to get people those benefits, as new responsibilities transfer to Edinburgh, Cardiff and, once an Executive are formed, Belfast.

Our commitment to bringing powers closer to people can be seen in the major steps already taken to decentralise governance in the UK, creating new combined authorities in seven city regions, headed by elected Mayors, and devolving to them new powers and budgets. There are Mayors, of course, across England—in Greater Manchester, the west midlands, the Liverpool city region, Tees valley, the west of England, Cambridgeshire and Peterborough, and Sheffield city—and they demonstrate how local, visible and innovative leadership can be key to building stronger economies and fairer societies.

English votes for English laws, meanwhile, embeds fairness and balance in Parliament’s law-making process, strengthening England’s voice just as devolution has strengthened the voices of Scotland, Wales and Northern Ireland within our Union. These measures are about accountability, effectiveness and empowering institutions to take action to make things better for the people to whom they are accountable.

Pete Wishart (Perth and North Perthshire) (SNP): The Minister has very conveniently skipped over Brexit. Over the weekend we learned that a no deal Brexit is now likely. For Scotland that could mean conditions akin to a state of emergency, with “Protect and Survive”-type leaflets being given to families and businesses. How does that help to strengthen her Union?

Chloe Smith: It is not my Union but the entire country’s Union. It is something we should be proud of; it is something we should cherish and protect; and it is something we should work together to protect. People in all our constituencies do best from the internal market of the United Kingdom, and it is that which we are seeking to protect and cherish as we leave the European Union and as we go out into the world to seek additional trade.

We are committed to ensuring that our system of devolution, which has progressed over the past few decades, serves to strengthen our Union and that a voice is afforded to each part of the United Kingdom. We have worked with colleagues in the devolved Administrations to strengthen the mechanisms for intergovernmental co-ordination and collaboration.

I chair a new ministerial forum, along with my colleague, the Under-Secretary of State for Exiting the European Union, the hon. Member for Worcester (Mr Walker), with the purpose of providing opportunities for meaningful discussion of the UK’s negotiating position with the EU. My right hon. Friend the Chancellor of the Duchy of Lancaster regularly meets the leaders of the devolved Administrations through the Joint Ministerial Committee on European negotiations.

Jonathan Edwards: I am grateful to the Minister for giving way again. There can be no more important document on the current negotiating strategy than the White Paper that was published the week before last. Is it not the case that the Welsh Government had sight of that document only a matter of hours before the British Government gave it to the press?

Chloe Smith: I am not going to comment on individual documents here. The forum I chair, and the JMC structure more broadly, operate on a close working principle. We seek to improve it; we seek for it to be better in the future. We have held a number of very effective meetings in the last while—more than perhaps in the recent period just before that—because we recognise the challenge of these times and we want to have that close working and co-operation together.

The governance of the Union is also about learning from each other. Whether it is the UK Government or a devolved Administration that get policy right, we can all share our experiences, note our mistakes and learn our lessons together; as a Union, we can help each other to serve our people. This Government are fiercely proud of our Union. We will continue to defend it and to strengthen it. We believe that the UK has a bright future as an independent nation outside the EU. This Government will work to invest in all parts of the UK, for the benefit of everyone. By working together, we can help to tackle some of the world’s great injustices and ensure a safer world. As the Prime Minister said on Friday, we are:

“A union not just of nations, but of peoples bound by a common purpose, whoever we are and wherever we are from”.

This Government are working towards “a brighter future for us all, where we put aside past divisions and work as one to meet the challenges and seize the opportunities that lie ahead.”

I look forward to this afternoon’s debate, which I believe will be an insightful discussion on a very important matter.
5.51 pm

Lesley Laird (Kirkcaldy and Cowdenbeath) (Lab): Today’s debate is on “Strengthening the Union”, so I am going to start by talking about that concept and the ties that bind our Union together. Working together, our family of nations has achieved great things for the many and not just the few, and when we are once again united in common purpose, under a Labour Government, I know we will do great things again. Our shared history includes wartime courage, facing down fascism, building homes fit for heroes and the creation of the national health service—

Stephen Kerr: The hon. Lady is speaking in glowing terms about our Union. Does she agree with the hon. Member for Edinburgh South (Ian Murray): is she also a proud Unionist?

Lesley Laird: I am indeed a proud Unionist. I am also a very proud Scot. Having supported and competed for my country, I can honestly say I can wear both jerseys with pride.

Our shared history also includes the national health service, whose 70th anniversary we proudly celebrated earlier this year, and the commitment to looking after our people from the cradle to the grave. Sadly, those are not the sort of sunlit uplands represented here today and interested in ever leading us to again. Given the recent actions and behaviour of many here today, it is opportune that we are today talking about strengthening the Union. I have to say, however, the irony will not be lost on many that the Tories have initiated this debate. I say that because the nationalist Government here in London are both clear threats to our Union here in London are both clear threats to our Union. Government here in London are both clear threats to our Union. The苏格兰 national party is explicit in its aims of destroying that Union, but the case for co-operation is strength to work together and which will, under Labour, provide the strength to do so again.

The Scottish National party is explicit in its aim of destroying that Union, but the case for co-operation is greater than any case put forward on separation. The Tories profess to be defending it, while all the time pursuing a narrow, nasty agenda that is tearing us apart. As the late John Smith warned a generation ago, there are two parties “sawing away at the legs that support the Union”. The people have not changed, but the politics they are being offered has. With so much at stake, why continue to indulge in Punch and Judy politics? We see the posturing in phoney indignation, walkouts and manufactured grievance. We see the undermining of democracy through a pay-per-view deal with the Democratic Unionist party, the not keeping promises on pairing—

Stewart Malcolm McDonald: We hear a lot about SNP Members coming up with grievances. When the hon. Lady looks at the state of how the Government govern, is she not as aggrieved as I am at things such as the poverty—the institutional and historical poverty—that cripples her constituency and mine because of this Government?

Lesley Laird: Of course I am absolutely appalled by the levels of poverty, but I also recognise that the Scottish Government have many powers in their armoury to address that, and with cuts to local government of 9.6% there is clearly opportunity for both Governments to improve their track record in that regard.

Brexit is burning and the Tories are doing what they have done for decades: ripping each other apart on Europe, fighting for personal power and getting ready to get rid of yet another Prime Minister who does not suit the Brexiteers. So when the Labour party talks about strengthening the Union, that starts with this nation’s biggest asset—its people. It is that higher purpose, that focus on our citizens, that drives our ethos. Across these islands we are united in our abhorrence of the Windrush scandal and the Prime Minister’s “hostile environment”. Across these islands we are united in our condemnation of the failed austerity agenda, with 1.3 million people forced to rely on food banks. Across these islands we are united in our condemnation of the cullous and cruel juggernaut of universal credit, which is flattening communities and breaking hearts and spirits wherever it touches.

Mr Jim Cunningham (Coventry South) (Lab): My hon. Friend raises an interesting point. Millions of people in this country are the “working poor” and they suffer as much as anybody else. That goes to show that under the Tories going into work does not pay.

Lesley Laird: My hon. Friend makes a good point. We are aware that many studies now show that many people using food banks are in employment. Clearly, with low wages and low flexi hours, we see that this is not an economy that is working for the many.

Across these islands we are united in our disgust at the behaviour of politicians who put fear of losing a Commons vote above respect for an opponent who is ill or on maternity leave. Ultimately, politics is about values and choice, and our choices show and tell what we value. Madam Deputy Speaker, you have to say the Tories have some front in bringing forward this debate. The Tories should be in the dock for aiding and abetting the nationalists’ attempts to destroy the common bond that unites working people across the UK. The charge sheet includes the catastrophe that is universal credit, the degrading of the terminally ill with ongoing work assessments, the rising reliance on food banks, the increase in child and pensioner poverty, and the repulsive rape clause. While these policies continue to have a cruel impact on the lives of ordinary people the length and breadth of the UK, it is clear that the Tories are guilty of laying the foundations for the politics of the nationalists, which they will always aim to exploit.

Douglas Ross: Does the hon. Lady not think this is slightly hypocritical, given that her colleagues in the Scottish Parliament voted with the SNP on its continuity Bill, and that the Labour party in Scotland and across the UK would be standing up to strengthen the Union if it did not follow the SNP and vote with it?

Lesley Laird: The hon. Gentleman has missed the point: the reason we stood up and supported the Scottish Government is because of his party’s failure to respect the devolution settlement.

Jonathan Edwards: I am glad the Labour party in Scotland has supported the Scottish Government on this issue, but can the hon. Lady explain why the Labour Welsh Government gave in to Westminster and handed over our powers to London?
Lesley Laird: The hon. Gentleman has just illustrated his own point, which is that the basis of evolution allows different parties in different countries to reach different solutions. [Interruption.] Where has the hon. Member for Moray (Douglas Ross) been all these years?

The charge sheet includes the catastrophe that is universal credit, the degrading of the terminally ill with ongoing work assessments, the rising reliance on food banks, the increase in child and pensioner poverty, and the repulsive rape clause.

Alison Thewliss (Glasgow Central) (SNP): You said that little bit.

Lesley Laird: I did. It was worth repeating. While these policies continue to have a cruel impact on the lives of ordinary people the length and breadth of the UK, it is clear that the Tories are guilty of laying the foundations of a policy of division that the nationalists will exploit. They will promote their holy grail, no matter the turbo-charged austerity that it would unleash on the Scottish people.

David Morris (Morecambe and Lunesdale) (Con): Will the hon. Lady give way?

Lesley Laird: I wish to make some progress.

In recent weeks, we have been presented with the evidence of what the SNP’s plans for separation would really cost. The nationalists promised Scotland a growth commission, but in reality they have delivered a cuts commission. The people of Scotland simply cannot afford another wasted decade under the mantra of deficit reduction.

Chris Stephens (Glasgow South West) (SNP): The only political party that has had a cuts commission in Scotland during the past five years is the Labour party. When will the “something for nothing” cuts commission produce its report?

Lesley Laird: The SNP’s document speaks for itself; not only that, but there are many commentators who have something to say about it, too. I also note that the SNP failed to consult trade unions on its document—I am sure the hon. Gentleman is extremely disappointed about that.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My hon. Friend has made a pertinent point about the economic benefits of the Union to the Scottish economy. Perhaps that is why the SNP ran fleeting from the full fiscal autonomy proposal for the independence referendum—because it entailed significant turbo-charged austerity. Does my hon. Friend also agree that the growth commission’s fiscal and monetary proposals would result in an extra £40 billion of foreign exchange reserves having to be raised, which would entail turbo-charged austerity for the Scottish economy?

Lesley Laird: My hon. Friend raises a very good point. Economic analysis makes clear that the sums that the SNP proposes to inflict on the Scottish people simply do not add up.

The nationalists promised a Scotland growth commission, but it was a cuts commission. As confirmed by the Institute for Fiscal Studies, the cuts commission would lead to further public spending cuts, with the plans looking remarkably like an extension of the current policy in the UK. The cuts commission claims to offer a “clear sighted analysis of the prospectus for independence”, but it is a prospectus based on a hard decade of public spending contraction, comparable only to the cuts implemented by George Osborne. Then we have the proposal of a £5 billion annual solidarity payment to the UK Treasury, which is not far off the Scottish Government’s combined budget for education and justice.

That is a prospectus for independence built not on sovereignty regained, but more accurately on sovereignty lost over policy relating to interest rates, mortgage rates, exchange rates, inflation, money supply and corporation tax. It is based on an economic model that relies heavily on foreign direct investment, large multinational corporations and labour market flexicurity, with no plan to develop the proper industrial strategy needed to provide the high-quality, well-paid jobs that our people desperately require. No wonder the First Minister’s commission consulted 20 business organisations but not a single trade union. That is not the kind of future the people of Scotland want. The people of Scotland want the growth problems in our NHS, education, housing and the economy fixed.

Let me be clear: only Labour, just like always, has a plan to provide the investment that will fix the countless problems created by the Tories and that have seamlessly been implemented by the SNP in Edinburgh. It is Labour that will ensure that the fabric of the UK is strong once again, by investing in a society for the many, not the few. It is Labour that will protect people in the workplace and create the opportunities needed for young people. People will not get that from the Tories, whose policies have led to an increase in precarious work and zero-hours contracts.

David Morris: Does the hon. Lady accept that the previous Labour Government put us in this financial mess in the first place? The Labour Government she keeps talking about are not for any or for you.

Lesley Laird: That is certainly not the case. Having worked in the financial services sector at that time, I know—and everyone who works there knows—that it was down to mismanagement of the subprime mortgage market. It is a global crisis and the hon. Gentleman should get out a bit more and read about it. It is Labour that will ensure that the fabric of the UK is strong once again, by investing in a society for the many, not the few.

Jonathan Edwards: Will the hon. Lady give way?

Lesley Laird: I wish to make some progress.

It is Labour that will protect people in the workplace and create the opportunities needed for young people. People will not get that from the Tories nor from the SNP, which continues, incredibly, to count zero-hours contracts as a positive destination for school leavers. It is a Labour Government who will ban zero-hours contracts and deliver an industrial strategy to create high-quality, high-skilled jobs. It is Labour that will always respect devolution, unlike the Tories, who at every turn during the Brexit negotiations have simply ignored Scotland’s devolution settlement, while the SNP’s opportunism has sought to sow division and discord.
Britain needs Labour and our approach, which recognises and respects all the nations of the UK. We will continue to stand up for and protect the devolution settlement, which we, the Labour party, founded.

Pete Wishart: This debate is about the Union and the constitution. I thought that Labour’s great innovation was a UK-wide constitutional convention, where Scotland will be a federal part of a new arrangement. Is that still Labour’s policy, and if so, could the hon. Lady talk a little bit about it?

Lesley Laird: The hon. Gentleman is right: that was in our manifesto and we will continue to work on it, because we believe it is the next evolution of devolution.

Britain needs investment, and only Labour will deliver. It cannot afford any more of the Tory version of austerity that we have experienced for almost a decade, with millions needing food banks, or SNP timidity, which acts as a conveyor belt for Tory austerity, with millions more cut from Scottish public services without so much as a whimper. It is Labour that has a vision of renewal, transformation and shared prosperity, with an additional investment of £70 billion in Scotland over the course of two successive Labour Governments.

Even on the simple things, this Tory Government cannot get it right. Only last week, Scotland’s invisible man in the Cabinet, the Secretary of State for Scotland—I note that he is not here today—missed another opportunity to show leadership and solidarity with the residents and businesses displaced by the fire at the Glasgow School of Art, by failing to push for UK Government assistance. That was an open goal, yet the Secretary of State put the ball over the bar once again, with a mealy mouthed response and, like so many of his colleagues before him, telling local government to take the strain.

Nature abhors a vacuum, and what fills it too often these days is narrow nationalism, petty jealousies and grievance. It is hardly surprising that we are missing opportunities to strengthen our Union when the Tories clearly do not understand devolution, never mind believe in it. And they are sleepwalking into a nationalist trap, because their instinct is to pass the buck, while the Scottish Government’s instinct is to draw powers from Whitehall and hoard them in Edinburgh, undermining local government at every turn.

Devolution is a process, not an event, and I am clear that those powers must be devolved all the way to the point where they can most effectively be delivered. To make a difference, politics must be about vision. It must be about ideas and how they can be fulfilled. It must be about the vision of how life can be made better for every household and community in the land.

In our 118-year history, the Labour party has been in government for only a little over 30 years, but every one of those years saw a Government for the many, not the few, and strengthened the Union by giving people hope—hope that, by the strength of our common endeavour, whether it be in Cumnock, Coleraine, Cardiff or Croydon, we achieve more together than we achieve alone. That is the way to strengthen our Union. Labour today, like Labour in the past, has a vision that will benefit all our people—men and women from the north, the south, Scotland, England, Wales and Northern Ireland.

I say respectfully to Government Members: your ineptitude, selfishness and brand of politics have played into the hands of those opportunists on the SNP Benches. Do the Union a favour. Do the country a favour. Do the millions of people whose lives are worse off under this rotten Government a favour and move over and allow Labour to govern and to invest in our people, our communities, our public services and our industries, and in the process, to strengthen our Union via the ties that bind our people together through a vision of sharing, equality and opportunity for all.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. This is a very well subscribed debate. I would prefer not to introduce a time limit, so if colleagues could speak for less than 10 minutes, we should get everyone in.

6.9 pm

Bill Wiggin (North Herefordshire) (Con): It is a real treat to be able to speak in the Chamber. As a Member who is not particularly frightened of his own voice, I have kept remarkably quiet during this term, largely owing to the hard work of the HS2 Select Committee. The hon. Member for East Lothian (Martin Whitfield), who is in his place, has also been putting his shoulder to the wheel to ensure that that railway line does one thing that strengthens the Union, which is to draw the north and the south closer together. I have plenty of reservations about it, but that, I think, is an outstanding quality.

I am particularly thrilled to be able to speak today, because one thing that I find so powerful about the Union is that it is in our DNA. My grandmother was a Power and was born in an Irish whiskey distillery of that name. My mother is Scottish, and I am very proud to wear the Davidson tartan, particularly the hunting tartan as it makes a very smart tie indeed. My constituency is, of course, how Walt Disney would have portrayed England if he had had the chance: truly beautiful and wonderful in every way. It grows every single crop that UK farmers around the country can produce; Herefordshire is the only county that grows them all. Then, of course, there are my own choices.

Pete Wishart: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I hope it is a point of order.

Pete Wishart: We have just noticed that the Government Front-Bench spokesperson has scuttled out of the Chamber without listening to all of the Front-Bench speakers in this debate. It was the Government who called this debate. They could have called it on anything else, but they chose to focus on strengthening the Union. We now no longer have a Front-Bench spokesperson to listen to the Front-Bench speeches. Surely that is not in order; there should be somebody there.

Madam Deputy Speaker: I have no idea whether the Minister has gone out temporarily, but there is another Minister on hand. I do hope that we are not going to have this debate interrupted by endless points of order, because people want to contribute; it is not fair.

Bill Wiggin: I quite agree, Madam Deputy Speaker. I was at the critical moment when I was about to discuss my affection for Wales.
[Bill Wiggin]

I chose to join that finest regiment in the British Army, the Royal Welsh Fusiliers, now more helpfully called the Royal Welsh, when I went to university in Bangor in north Wales. There you have it: a British person through and through—Irish, Scottish, Welsh and indeed English. We make a huge mistake in this place when we divide among ourselves. After all, what did God put France there for? But no, we must stick together. It is our unity and our respect for one another that is most important.

I urge the hon. Member for Kirkcaldy and Cowdenbeath (Lesley Laird) to pay careful attention to this. There are only two types of MP in this House: those who care about their constituents and those who do not. Those who care about their constituents, in whatever part of the Chamber they may sit, are well worthy of the respect that we would expect to have shown to ourselves. They stand up for their constituents, and all we question is how right or wrong they may be. I will defend to the death any colleague who believes in their constituents and in their right to be heard. If ever there is any doubt in Members’ minds about how important this place is to the strength of our Union, they should look at the one party that refuses to turn up. Members of that party will not take the Oath and they do not want the United Kingdom united. We should be judged by our enemies, by people who do not turn up, and by why they do not turn up—because this is our place where we can come together, where we can unify.

Stewart Malcolm McDonald: To be fair, the Liberal Democrats were here earlier.

Bill Wiggin: Now that is more like a bit of parliamentary humour, but the hon. Gentleman knows exactly what I mean.

In ancient Greek, there is the word “agape”, which means love. It is a different sort of love from that which we may feel for our husband or wife, or indeed for our brother and sister, or for our country, our constituency or some of our more obscure constituents. I argue that having different words for that affection may well increase our vocabulary, but the strength of our language is that one word encompasses everything that we care about. Therefore, it is vital that we defend our country, our Parliament and our relationship with our constituents. For that reason, I urge the BBC to look again at the cuts to the Parliament channel. It is trying to save only £1.5 million, and it would be so much better if it took that from the money that it is giving to local democracy reporting services. Up to £8 million a year is being given to three very large private companies, which have, so far, managed to fill only 115 of the 145 placements. I am asking not for more money from the BBC, but for an opportunity to strengthen the Union by ensuring that our constituents not only see what we do here, but have it explained to them through the various commentaries that the BBC provides.

Locally, the Act of Union that concerns us is not that of 1707, important though it is, but an even older Act of Union—the 1536 Union of England and Wales. On the Welsh borders, a person does not even have to see anything to know when they have crossed over from England into Wales, because the noise from the wheels of their car goes quiet as they move on to the beautiful, manicured Welsh roads—faultless and pothole-free. This drives my constituents to distraction, because on our side of the border the holes are huge. We need to do a great deal more on that. I have not yet stood up in this House without making an attempt to ensure that Herefordshire gets its fair share, because we have the most roads per capita of any county in the United Kingdom. More must be done. However, when people say that to me, I point out that they would not want to be on a Welsh health waiting list—so much so that people from Wales are popping over the border to secure an English address simply to get life-saving cancer treatment that is not available under the NHS in Wales.

There are great challenges to our country. There are great people in it, including all the Members here who care about their constituents. There is a great love and passion within all of us to ensure that we have the best future not just for our children and grandchildren, but for each part of the Union. I hate it when I hear colleagues bickering among themselves about their bit of the United Kingdom. We are so much greater than that. We do not have to go very far back in history to be reminded of that. I therefore ask Members to respect one another. I am not always innocent in that department. I have been teasing the editor of my local paper, and he has very little sense of humour and responds savagely at every opportunity. However, this is another chance for him to try to heal those wounds.

Let us go forward with a stronger Union as we face the negotiations and as we fight for the best possible outcome for the British people, and let us do that with respect for one another.

6.18 pm

Tommy Sheppard (Edinburgh East) (SNP): First, let me congratulate the Government on being so efficient at managing their legislative programme that they have been able to find a full day for a debate on this issue on the penultimate day of the parliamentary term. I had hoped that, today, we might come and find some new Government statement, some new policy, or something that would demonstrate the Government’s desire to strengthen the Union between our countries, or that, perhaps, we might take a moment to reflect on what has happened over recent months and years with the debate on Brexit and the effect that that may have had on the strength or otherwise of the Union, but alas I am disappointed.

I have to say that if there is anyone on the Government Benches who believes that the Brexit process has done anything to strengthen the Union, they are wildly deluding themselves. The manner in which it is being executed has demonstrated a lack of will to engage with other countries on these islands as equal partners. Moreover, the fact of its execution means that it challenges the central tenet on which the Union is based, which is that the people of Scotland will be better able to make their case in this world by hitching their fortunes to those of their large neighbour to the south. That is now in question like never before.

I want to focus on the debate between those who propose a self-governing, independent Scotland and those who believe that Scotland should remain part of the United Kingdom. I will look at the role that devolution plays in that argument, because it is not straightforward. There are many Unionists who say that devolution is a
means of strengthening the Union and there are others who see it as the thin end of the wedge. There are many people who believe in independence who embrace devolution as a step and a process; there are others who see it as a distraction from arguing for independence. In fact, it has not always been just one party or one part of the political spectrum that has advocated these changes.

In 1853 an organisation called the National Association for the Vindication of Scottish Rights was established, explicitly to argue for administrative devolution within the Union. Despite its name this association was launched by and comprised Conservative Members of the House of Lords and those in academia. It had a small existence of only three years, but the ideas that it raised led directly to the Liberal Government of 1885 introducing the role of the Secretary of State for Scotland and establishing the Scottish Office. That was a process of administrative devolution that was not proposed by anyone in my party or anyone who would have supported those views at the time.

Allow me to cut to the 1920s and to a man called John MacCormick, who is a very interesting character in this story. MacCormick starts life in the Labour party. He then goes on to be what we would probably regard as the architect of bringing together various groups to form what becomes the Scottish National party in 1934, and he serves for eight years as its national secretary. After 1942, he goes on—not once, not twice, but three times—to stand for election to this place as a Liberal candidate at general elections. But MacCormick’s greatest contribution to this whole debate was to raise the Scottish Covenant, which proclaimed for the first time ever that there should be an elected assembly in Scotland within the Union. Now, that covenant—signed in 1949 in the General Assembly Hall of the Church of Scotland on the Mound in Edinburgh—had attracted in excess of 2 million signatures among a population of 5 million people, but MacCormick found that nobody would present these views at the time.

The amazing thing about the 1950s is the disconnect between those sentiments among the population—2 million people signing the covenant—and the opinions of the Scottish representatives in this place. In fact, in the 1955 election only one Scottish MP out of 71—Jo Grimond, who represented Orkney and Shetland—in any way supported devolution or home rule. Every other Member of Parliament was implacably opposed to it. There was a massive disconnect between what the people wanted and what their representatives were actually saying.

Douglas Ross: I am grateful to the hon. Gentleman for giving way during his comments about a massive disconnect between what the people want and what their representatives are speaking about. As he knows, Scotland had a democratic referendum in 2014, when the vast majority of people rejected the SNP’s separatist agenda, yet SNP Members—in Holyrood and here—continue to speak about what we were told would be a “once in a generation” event.

Tommy Sheppard: If the hon. Gentleman bears with me, I am coming to that. I was in 1955 just there, but let me jump to the 1960s.

In the 1960s, things change and two things come together. [Interjection.] Conservative Members might want to listen and learn. The first thing is that this country—Great Britain—begins a process of rapid decolonisation. It is a new world. Suddenly, rather than the notion of an independent Scotland being something that looks backward romantically to history, it actually becomes something that can embrace what is happening in the contemporary here and now, with the emergence of new nation states throughout the world. The second thing that happens is that those who argue for Scottish independence understand and focus on the need to achieve electoral change at the ballot box, and the thing that kicks off a period of half a century of change is Winnie Ewing’s election in November 1967.

Then we have a process of half a century of dissent being manifest electorally, at the ballot box, and the state responding to that at every step of the way. The Kilbrandon report is established in response to the events of 1967. It takes forever to come up with its proposals, but it does so in 1973, suggesting elected assemblies for Wales and Scotland. In 1974, we have the election of 11 SNP MPs, which terrifies the then incoming Labour Government.

Ian Murray: Will the hon. Gentleman give way?

Tommy Sheppard: I am happy to give way, although I may be getting to the hon. Gentleman’s point in a minute.

Ian Murray: The hon. Gentleman is a fine speaker in this Chamber, but I am not quite so sure that he can read my mind. Maybe he can.

Those 11 SNP MPs elected in 1974 voted with the Conservatives in 1979 to bring in 18 years of Conservative government that decimated Scotland. Will the hon. Gentleman get on to that point?

Tommy Sheppard: I was coming to exactly that point, as it happens.

The Labour Wilson-Callaghan Government then introduce the Scotland Act 1978, although it takes them four years to get that Act through, for some unknown reason. We then have the referendum of 1979, in which the people of Scotland vote to set up a Scottish Parliament. But that is frustrated because of an amendment to the legislation by a Labour Member of Parliament that requires 40% of the total electorate to vote in favour, otherwise the decision will not pass.

The Labour Administration, in the midst of economic chaos in the spring of 1979, had the opportunity to go ahead and legislate with the will of the Scottish people expressed at the ballot box, but they declined to do so. Given that the Administration were on their last legs, the SNP MPs decided to withhold confidence from them. In retrospect, I would have done exactly the same thing. SNP MPs did not vote to usher in 18 years of—

Ian Murray: Will the hon. Gentleman give way?

Tommy Sheppard: I fear I need to crack on.

Ian Murray: That’s fine—crack on.
Meanwhile, people are preparing, organising and advocating for Scottish self-government. In 1989, we have the establishment and the declaration of the claim of right, which I note from our debate in this Chamber two or three weeks ago that every party in this place now supports. That is encouraging because they did not, of course, at the time.

We then have the situation whereby the Labour party essentially adopts the process of devolution. Whereas it had previously been a controversial matter, now it is what John Smith calls the “settled will” of the Scottish people, and Labour pledges to bring in devolution if elected. Then we have the process of devolution, with the Scotland referendum in 1997, the Scotland Act 1998 and the reconvening of the Scottish Parliament in 1999.

Now, there will be some people in this debate who will wonder why that was not enough. They will say, “Well, that was game over,” and think that we have done what came here to do. They will ask, “Why now—20 years later—are people still complaining that this is not enough?” Well, two things happened after the creation of the Scottish Parliament. First, it actually worked quite well, and people in Scotland began to appreciate that their local representatives had control over matters that had previously been a controversial point. In Scotland, the electorate to a much greater extent than this place ever has been.

The second thing that happened, of course, was the Blair Government and their increasing unpopularity. As in England and most of the rest of Britain, the traditional Labour electorate of Scotland had nowhere to go in response to Tony Blair’s decision to remove the Labour party from supporting them. In Scotland, the electorate had a ready-made alternative, and they began in numbers to join the alternative party on the left—the Scottish National party. We then have a situation where, by 2007, the first SNP Scottish Government are elected. What is the response to that? It is the Calman commission and the promise of further powers.

We go on to 2011, when we see a majority SNP Government having the opportunity to put before the electorate their central promise of giving people the opportunity to decide on their own future. I will talk about the referendum a little bit, but I do not want to go into detail. The result of the referendum, of course, was the Smith commission and the promise of further powers. So all the way along the past 50 years, we have seen additional powers given to Scotland—more control given to the Scottish people over their own lives—because of the state’s reaction to the rise of the sentiment for self-government and for national self-determination. That is the fact of the matter; that is anybody’s analysis of history.

Much as Scottish Conservative Members may dislike this fact, the Scottish referendum in 2014 did not. I am afraid, settle anything at all. Many people, when they look back from afar, misunderstand some of the things that were happening during that referendum. In particular, many commentators on the liberal left in England completely get it wrong when they say that what was going on was some sort of assertion of identity. That was not the case at all. If ever a country had a surfeit of symbols of identity, it would be Scotland. Scotland has all the identity in the world; what it does not have is empowerment of the people who live there to control their own lives. That was the spirit of the 2012 to 2014 referendum campaign.

Stephen Kerr: Let me remind the hon. Gentleman of the result of the September 2014 referendum, where, by a substantial majority, the people of Scotland chose to remain part of the United Kingdom family that we are all so proud to belong to.

Tommy Sheppard: The result was 45:55. When the referendum campaign started, the split on the question had been about 75:25, so during the period of a two-year campaign, three quarters of a million people decided to vote for Scotland to become an independent country who did not feel that way when the campaign started. That was really quite a remarkable achievement.

Since the referendum campaign people have suggested that SNP Members do not accept the result of the 2014 referendum. I said in my maiden speech, and I say again today, that I do respect the result of the 2014 referendum. The people of Scotland decided to remain in the United Kingdom at that time. But, as I said in my speech in the claim of right debate, sovereignty is not just for 18 September 2014. Sovereignty, if we believe in it—the claim of right, if we believe in it—has to be for all time, so in a democracy people have the right to change their minds.

Stewart Malcolm McDonald: Like my hon. Friend, I accept the referendum result, but is not the point that the minority have rights too? The Union can survive only if those who believe in it are really going to make the argument for it, for as long as they want it to live. Does it not ill become those same people then to scream in the face of yes voters, “You lost—get back in your box”?

Tommy Sheppard: It does indeed.

Democracy must allow people to exercise their right to revisit a decision if the options that were presented to them beforehand substantially change.

Douglas Ross: Will the hon. Gentleman give way?

Tommy Sheppard: No, because that really could not have been a controversial point.

Douglas Ross: Will the hon. Gentleman give way on that point?

Tommy Sheppard: Okay, on that point.

Douglas Ross: Would the hon. Gentleman then say that his leader in Scotland, Nicola Sturgeon, was wrong, ahead of the referendum, to stand in front of a poster that said, “One opportunity”?

Tommy Sheppard: No. I wish I had not given way now, because the hon. Gentleman was not wanting to comment on the point that I was making at all.
When Alex Salmond or Nicola Sturgeon talked about “once in a generation”—it was actually said very rarely—they were doing so not as a promise or a qualification, but to remind those who were campaigning for this opportunity that they might only get one chance to do so. The truth of the matter—[Interruption.] I will allow Scottish Conservative Members to intervene if they wish, if they will please let me at least—

Douglas Ross rose—

Tommy Sheppard: No, the hon. Gentleman has had his say.

The truth of the matter is that if one changes the proposition, people have the right to revisit the decision, do they not? I would have thought that that was reasonable. If somebody buys something in a shop that promises one thing, and they get it home and open the box and it is not what was promised, they can take their goods back. Well, we should also be able to take our goods back.

I would like to go on for a lot longer, Madam Deputy Speaker, but I know you do not wish me to do so. I will come back to where I started and talk about the relationship of Brexit to this debate on the strength or otherwise of the Union and to Scottish self-government. What has been happening over the last period has substantially weakened the Union because it weakens the devolution settlement that arguably could have given it some strength 20 years ago. This is happening in three ways. First, for the first time in our history, the UK Government are determined to ignore the Sewel convention and to legislate for matters that relate to the devolved Scottish Parliament without obtaining its consent. [Interruption.] That is a regrettable fact, but there is no point in Scottish Conservative Members trying to deny it.

Secondly, if powers are brought back from Brussels, one would expect that they would go to Holyrood, but Holyrood is being given a list of responsibilities, not powers. At the same time, it is being told that it will be able to exercise Executive authority in those areas only if it does so as part of a United Kingdom framework through a series of joint arrangements. UK Ministers have made it quite clear that these joint arrangements will bring together representatives of the four countries within the United Kingdom—but the question arises, who will speak for England in that discussion? Because of the asymmetrical devolution that we have had, and because of the refusal of successive Governments in this place to properly address democratic regional government in England, the only body that speaks for England is this place.

Therefore, Westminster Departments will advocate the cause of English farmers or English fishermen, or whatever, in these joint arrangements. The problem that arises is that in the event of a dispute, they will also sit as judge and jury on what happens. That makes the farmers and the fishermen of Scotland, of Wales and of Northern Ireland subservient to those who operate in the majority area of the country. That drives a coach and horses through the spirit and the actuality of the Union settlement.

There are dark days ahead. We do not know where the Chequers agreement now stands. We do not know what relationship we will have with the European Union, or what the status of a common European Union rulebook will be and what bearing that will have. We do know, though, that time is running out to sort these things. We also know that in the midst of the chaos that this Government have created, the people of Scotland have an alternative and have a choice. They can decide to become a self-governing country—to take back control of their own affairs and get rid of the mess that is being created while they remain part of the United Kingdom.
disorder and loss of life. The legal status of the soldiers and security personnel who kept Northern Ireland and all the UK safe by fighting terrorism remains in question, while the Executive and the whole question of power sharing have been suspended for 18 months.

Unionism means we cannot just look at these problems as if they were distant from and unconnected to us. If Unionism is to mean a union of national interests and of hearts, as I believe it does, we should apply ourselves to these questions as if they were within our very own constituencies. I welcome the fact that the Government have taken direct action to ensure that good governance and public services continue. Again, if Unionism is to have any real meaning, the British Government, in the absence of a devolved Administration, must be willing and able to do the right thing.

The answer to the question, “How can we strengthen the Union in Northern Ireland?” is self-evident, and has been repeated time and again in this House: there needs to be a power-sharing Executive restored, an Assembly back in action and a lasting commitment to devolved government. While people from across the UK should support both sides in the process of restoring the Executive, and public services continue. Again, if Unionism is to mean a union of national interests and of hearts, as I believe it does, we should apply ourselves to these questions as if they were within our very own constituencies. I welcome the fact that the Government have taken direct action to ensure that good governance and public services continue. Again, if Unionism is to have any real meaning, the British Government, in the absence of a devolved Administration, must be willing and able to do the right thing.

The answer to the question, “How can we strengthen the Union in Northern Ireland?” is self-evident, and has been repeated time and again in this House: there needs to be a power-sharing Executive restored, an Assembly back in action and a lasting commitment to devolved government. While people from across the UK should support both sides in the process of restoring the Executive, we should all be equally clear that narrow, partisan, party political games are unacceptable.

Nevertheless, we must not allow the challenges facing Northern Ireland to blind us to the real strength of the Union, both there and elsewhere. Devolution is continuing apace in Wales, with the Assembly transformed into a fully-fledged legislature with responsibility not just for spending taxes but for raising them. The strength of devolution, though, and the reason it is good for the Union, is that devolution does not mean separation. I am proud to have both the Great Western line and the second Severn crossing in my constituency, which overlooks the Severn estuary into Wales. Wales and the south-west have extremely close links on every level, and I am proud that the world-renowned defence and aerospace industries in my constituency are daily enhanced and empowered by the contribution of commuters from Wales. That is soon to be helped dramatically by the abolition of the Severn bridge tolls.

The thing we can do, not as parliamentarians but as members of the Union, to most strengthen the Union is to fight the false narratives that suggest it was imposed on the nations of the UK. Throughout the centuries of the Union, men and women from Scotland, Wales, Ireland, and England have come together to do wonderful things and have improved the world massively. The contribution that each nation of the United Kingdom has made to the world is immense and it is an honour to be in a Union with all. We must not let win out the voices that claim that the English or the Union itself hold them back or oppress them. We must all remind one another what this great Union has achieved through free association and, as the Victorian vicar put it, what we can achieve through this union of nations, union of national interests and union of hearts.

6.43 pm

Ian Murray (Edinburgh South) (Lab): It is a great pleasure to follow the hon. Member for Filton and Bradley Stoke (Jack Lopresti). I congratulate him on his eight years on the Northern Ireland Affairs Committee. As we would say on this side of the House, he has done his time down the salt mine. I am not sure what he is going to do next.

I am rather perplexed that the Government have called this debate in their own time on the second to last day before the summer recess, but it is welcome indeed, for a number of reasons. It is an opportunity to put the positive case for the Union and to expose for what they are the political games played in the Chamber in the last few months. I have the utmost respect for my constituency neighbour, the hon. Member for Edinburgh East (Tommy Sheppard), the SNP spokesperson, and for his oratory—he is well-known for it locally as well—but I am completely astonished that he could stand up in the Chamber in 2018 and say that, if there were a vote in the House to bring down a Labour Government that ushered in 18 years of Conservative Government, he would do exactly the same again. It is an astonishing thing for an SNP politician to admit.

Tommy Sheppard rose—

Ian Murray: I am happy to give way if the hon. Gentleman wants to clarify the comment, but we have it on the record.

Tommy Sheppard: To clarify the record, that is not what I said. I said that, in retrospect, had I been there at that time, I would have made the same decision. That is not the same as saying I would vote to do it today.

Ian Murray: The hon. Gentleman also said that the SNP in 1979 withheld consent. It did not withhold consent; it voted with the Conservative Opposition to give the Opposition a one-vote majority, which brought down the Labour Government and ushered in 18 years of Conservative rule.

As my hon. Friend the Member for Kirkcaldy and Cowdenbeath (Lesley Laird) rightly said from the Front Bench, we are here because we are currently stuck with two nationalist Governments, one here in London and one at Holyrood in Edinburgh. She was also right to quote John Smith, who lived in my constituency and was the best Prime Minister this country never had. He did say—I am happy to quote it again for the record—that we had two parties sawing away at the legs that supported the Union. He said that then, but it is actually more relevant today.

Let me tell the House why we have two parties sawing away at the legs of the Union, and let me start with the Conservative party. I have made the contention today, and will make it tonight, that the Conservative party is as big a threat to the Union, whether it be Wales, Ireland or Scotland, as any nationalist party in Wales, Ireland or Scotland, and let me say why. The Conservatives bet the farm on an EU referendum and had the arrogance to think they could win it, but they lost it, having put no plans in place for what would happen beyond that.

In 2014, on the steps of Downing Street, the very same person who gambled the farm, the former Prime Minister, David Cameron, as the sun was rising over London, and before all the votes in the independence referendum had even been counted, declared his intention to introduce English votes for English laws, a completely unnecessary procedure in this House that has failed miserably. In that regard, I agree wholeheartedly with
the hon. Member for Perth and North Perthshire (Pete Wishart), who has railed against EVEL for many years, despite having supported it previously. That kind of thing goes straight to the heart of how the Conservative party is undermining the Union.

What about the continued and unnecessary austerity? It is a political choice to have austerity as a policy central to government, but it has not worked. It has trebled the national debt to nearly £2 trillion and we still have a deficit—the Government promised to wipe it by 2015, but I am not even sure they will wipe it by the projected 2022-23; it may be decades beyond that. Then there was the creation of a hostile environment, not just for migrants coming to contribute to this country, but for anybody in this country who happened to be in the unfortunate circumstances of claiming social security.

Then we have Ministers being dragged to the House by urgent questions to explain why they had to cheat on votes in the House to get policies through last week. I am sorry I was unable to ask a question in the urgent question. I would have asked what the Government would have done had the Opposition broken a pairing deal last week with someone on maternity leave on the Government Benches and won that vote. The Government would be dragging us all back here as quickly as possible to have that vote again.

Stephen Kerr: On a point of information—perhaps the hon. Gentleman was not here for the urgent question—there have been 66 breaches in pairing arrangements, 52 of which were by Opposition parties, not the Government side.

Ian Murray: I was not here for the urgent question, so I cannot clarify those figures, but I can say that in my eight years in the House the Opposition have won three votes, so breaking those pairing arrangements has obviously not affected the operation of Parliament, and I do think it important to maintain the pairing arrangements.

Then we get on to the way the Government have dealt with the Brexit process in terms of devolution. It has not been the Secretary of State for Scotland’s finest hour. I am sure that if we could wind the clock back to April, May or June and have those debates again, the Government would have dealt with it differently. We had promise after promise at the Dispatch Box from the Secretary of State, and all those promises were wiped aside. I intervened on the hon. Member for Stirling (Stephen Kerr) at least nine times, if not more—maybe he can tell us during his contribution—to ask when it was all going to happen, what his objections were and how they were going to resolve those devolution problems, and I am still waiting to hear the answers. I look forward to him telling us when I intervene on him during his speech later.

Then we have a Government in chaos, with resignation after resignation after resignation: the Secretary of State in charge of negotiations to take us out of the EU, gone; the worst Foreign Secretary in history, gone; and all just a few parliamentary weeks away from having to agree the final EU deal.

Then we have the question of a hard Brexit. Everyone is going, “What’s a hard Brexit? What’s a soft Brexit?” However, when we look at what the Government are doing, we are hurting towards a no deal Brexit. The Government put together—cobbled together after two years—what they now affectionately call the Chequers agreement. The following week, they undermined that very same agreement by accepting amendments to the Trade Bill and the customs Bill that have driven a horse and coaches—a “corse and hoaches” if you have been drinking the same whisky as the Minister who opened the debate—right through that agreement. Not only did those changes undermine the agreement, but the EU had already ruled out the agreement in its original form. We are heading for a hard or no deal Brexit, and all that is happening in the Government at the moment is that people are trying to fight for the keys to No. 10, rather than for what is in this country’s interests.

Everyone in this House, to a person, will absolutely agree that there should be no hard border between Northern Ireland and the Republic of Ireland. However, the Government have set red lines in the Brexit process that make that completely and utterly unachievable, which undermines the fabric of the United Kingdom. I keep asking Ministers this question, but I cannot get an answer, so it would be interesting to hear an answer from the Scottish Conservative MPs this evening. If the Government can argue, with the red lines that they have set, that they will no longer require any kind of border equipment on the border between Northern Ireland and the Republic of Ireland, if the UK and the Republic of Ireland are in two different trade and customs arrangements, how could they possibly argue, in the event of another independence referendum, that we would require a border between Scotland and England?

Sammy Wilson: The hon. Gentleman is restating the oft-repeated myth about the border between Northern Ireland and the Irish Republic. I do not know whether he noticed that EU negotiators—Juncker and Barnier—promised the Irish Government this week that there would not have to be any kind of checks at the border between Northern Ireland and the Irish Republic, even in the event of no deal. If there can be no checks with no deal, we can have no checks with any sort of deal.

Ian Murray: That is an extraordinary comment. We will see what happens come 29 March 2019 or after the transition period. I just do not think that the right hon. Gentleman can achieve what he wants to achieve with the Government’s current negotiating position.

The Scottish Conservative leader Ruth Davidson promised during the 2017 snap general election that, if Scottish Conservative MPs were sent to Westminster, they would stand against the Prime Minister’s hard Brexit and deliver what would be in Scotland’s best possible interests—[Hons. Members: “She never said that.”] Well, if she did not say that, perhaps the Scottish Conservative MPs can tell me what she did say. Ruth Davidson stands up day after day, week after week, to rail against her own Government here at Westminster, while the 13 Scottish Conservative MPs loyally truipse into the Lobby to put through the hard Brexit and everything else that is upsetting for Scotland.

Stephen Kerr rose—

Ian Murray: I have already given way to the hon. Gentleman, and “one opportunity” means “one opportunity”.

Last week, every single vote in this House on Monday and Tuesday on the customs Bill and the Trade Bill was passed with a majority fewer than the number of Scottish
Conservative MPs. If they did what they promised to do, we would be in a much better position. That is why they are undermining the Union.

Let me quickly go on to why the SNP is undermining the Union. It does not want the Union; it wants independence for Scotland. The SNP’s proposals for Scottish independence are now in this growth commission report, which has been fundamentally torn apart by anyone who has ever read it who does not want independence. This morning, the hon. Member for North East Somerset (Mr Rees-Mogg) talked about a no deal Brexit potentially meaning 50 years of austerity in the UK, but the growth commission report promises 25 years of austerity.

Tommy Sheppard: Will the hon. Gentleman way?

Ian Murray: I cannot, because I need to wrap up. If the model in the growth commission report had been applied over the past decade, Scotland would have had £60 billion less to spend on public services than has been the case. The SNP is therefore proposing austerity-max.

Stewart Malcolm McDonald: Will the hon. Gentleman give way?

Ian Murray: I cannot. Madam Deputy Speaker wants me to wrap up and I would not like to upset her.

Stewart Malcolm McDonald rose—

Ian Murray: I am happy to upset the hon. Gentleman, but I am not going to upset Madam Deputy Speaker.

I will wrap things up with a few remarks that point out why the SNP is just as big a threat to the Union as the Conservatives. All the analysis of the Scottish NHS has shown that, even under a Conservative Government who have been putting less and less into the NHS than previous Labour Governments, Barnett consequentials have not been passed to the Scottish NHS through the Scottish Government to the tune of anything between £340 million and £750 million, depending on the measure used.

There are a few things that will strengthen the Union and keep it together. A soft Brexit is one. We need a more transparent Joint Ministerial Committee that works. As the hon. Member for Stirling said in a Westminster Hall debate, Departments should be retagged to state whether they are English or UK Departments. We should have a federal constitution that deals not only with Scotland, Wales and Northern Ireland, but with England, which is too large, with the north-west and the north-east not feeling as well represented as they could be. We need to stop both Governments fighting over the border perhaps once or twice in a single journey. Or visiting friends and family can mean travelling across the border perhaps once or twice in a single journey.

The preservation of the United Kingdom is not only one of this House’s biggest challenges, but one of its biggest opportunities. However, we have unfortunately failed to address that properly over many years. The Union has never been in doubt over most of its history, so there has never been the need overtly to defend it. The Union has been torn apart, not just by the SNP, but by the Conservatives. I think the SNP should consider to be free and fair.

However, this more flexible, uncodified, relaxed Unionism always runs the risk of lapsing into complacency and indifference, especially when faced by an organised and highly political opponent such as the SNP, whose sole raison d’être is to find grievance at every opportunity. The people have seen through that, sending a message to the First Minister in last year’s general election, when the dramatic loss of support lead to more than 20 fewer nationalist MPs.

The current situation should be seen as a starting point, not the end, so I welcome the UK Government’s recent announcements, including over £1 billion investment in five regional growth deals in Scotland and the basing of a spaceport in the north of Scotland, highlighting the biggest opportunities. However, we have unfortunately failed to address that properly over many years. The Union accepted and allowed a referendum on independence in 2014, when there was a democratic case for it, and compare that with the reaction in other nations that we consider to be free and fair.

Stephen Kerr: Will my hon. Friend take this opportunity to remind the House that all Conservative Members of Parliament, whether in Scotland, England or Wales, were elected on a manifesto commitment to leave the European Union, the customs union, the single market and the jurisdiction of the European Court of Justice?

John Lamont: My hon. Friend makes a fair and reasonable point. While I voted remain, I am also a democrat. Just as the SNP should accept the referendum result of 2014, I accept the referendum result of 2016, and we were all elected to ensure that we deliver Brexit and get the best deal for Scotland and the entire United Kingdom.
Whitehall needs to consider the maintenance and promotion of the Union as one of its central tasks, not as a bolt-on extra. When the Union was in peril during the independence referendum, that worked well. Civil servants wrote a series of analysis papers pointing out the strengths of the UK internal market and the UK’s integrated system, but it should not require the threat of separation to ensure that that becomes a matter of course. My right hon. Friend the Prime Minister got there first in a speech last year where she acknowledged that Whitehall often devolves and forgets. Her proposal was to ensure that in reserved areas, the UK Government explicitly look after the interests of the Union in their policy making, while in devolved areas they must look for ways to collaborate and work together to improve outcomes for everyone. Scotland has two Governments, and it is time they were seen to be working in partnership—not against each other—to improve the lives of all the Scots whom we represent as Scottish constituency MPs.

Danielle Rowley (Midlothian) (Lab): The hon. Gentleman is the vice-Chair of the Select Committee on Scottish Affairs. We have the Chair in the Chamber, too, and I am a member. Does he agree that the Committee is a fantastic example of all parties coming together, working together, discussing the UK Government and the Scottish Government and scrutinising what is going wrong? We need to see more of that working together, and less of the appalling and embarrassing shouting we have seen in the Chamber today.

John Lamont: I agree with the hon. Lady. We work very well across that Committee. It is a good example of parties and parliamentarians coming together to highlight the issues that many of our constituents have to deal with day to day.

The dualling of the A1—the issue affects my constituency—all the way from Northumberland to Edinburgh would be a great example of partnership between the UK Government and the Scottish Government. This should be built in as a strategic aim for Whitehall and one for St Andrew’s House to pursue.

As with most things, there is no silver bullet for strengthening our Union for everyone. I know from being out on the doorsteps in my constituency that people in Scotland want their two Governments working together. We should strengthen our Union because it is the will of the people of our land. Recent polling by Policy Exchange clearly demonstrates that the majority of people across the United Kingdom are in favour of the Union in its current form. Some 68% of people in England, 52% of people in Scotland, 66% of people in Wales and 59% of people in Northern Ireland want a continuation of the Union.

However, that polling also confirms that there are concerns across all parts of the United Kingdom about the impact of Brexit on our Union. Majorities in all nations of the UK said that they believed Brexit would make the break-up of the UK more likely. That is the challenge, and it is why this debate is so important. With the nationalists constantly looking for grievance and new opportunities to stoke the separatist fire, we must do more to invest in our Union to ensure that it lasts for many more hundreds of years to come.

The recently published Policy Exchange paper, which was released on the back of the polling, sets out a number of suggestions as to how we might address the challenges. Bearing in mind the consequences of the new powers landing in different parts of the UK as we leave the European Union, we need better to understand the idea of shared rule across the UK as a whole. At the same time, we need to respect the value of devolution with the rights of the devolved institutions.

Intergovernmental relations within the UK have not been as good as they should have been, and that could be exaggerated as Brexit happens because many of the powers repatriated from Brussels will fall within the competency of the devolved Administrations. We therefore need to revisit how the Joint Ministerial Committee works to build better trust between the Westminster Government and the devolved Administrations.

The Scottish Conservatives will bow to no one in promoting and defending Scotland’s interests and making its voice heard across the United Kingdom. Where we differ from the SNP is that we will not do so with the express purpose of trying to split the country in two. Far too often, the SNP picks fights purely for their own sake. This is the SNP’s reason for existence. The difference, though, between us and the SNP is that we will pick fights not because we want to rip up the Union, but because we insist it works better. We have already seen that is a more effective way of standing up for Scotland as the approach of the Scottish Conservative MPs has secured wins such as the VAT refund for Police Scotland and fair pay for our brave men and women in our armed forces.

Stewart Malcolm McDonald: The hon. Gentleman talks about fair pay for those in the armed forces. What about the 220 not getting paid the living wage in Scotland?

John Lamont: It is very clear that those in the armed forces who were going to be paying extra because of the nat tax imposed by the Scottish Government will not have to pay it. It is fair that everyone across the United Kingdom who works for the armed forces gets paid the same, regardless of where they are based.

I will ensure that I spend my time here, however long or short that may be, as effectively as I can. That means standing up for Scotland in a constructive and beneficial way, not storming out and throwing tantrums, as we have seen from SNP Members. Voters are tired of the politics of division. Let us give them what they want: a strengthened Scotland and a strengthened United Kingdom.

7.5 pm

Pete Wishart (Perth and North Perthshire) (SNP): It seems a curious pleasure to be speaking in this debate this evening. Just when we thought the House was going to adjourn early for the summer recess to assist a beleaguered Prime Minister, we find ourselves here, debating the Union. With the UK facing an unprecedented crisis, with a rudderless Government, a leadership in crisis and a divided party about to face the Brexit precipice, the most important thing that the Government can think of to debate on the day before Parliament adjourns is the Union. I wonder what businesses in Scotland think of to debate on the day before Parliament adjourns for the long summer holiday?
Douglas Ross: I am grateful to the hon. Gentleman for giving way on this point, because it is important. He is criticising the UK Government for having a debate about strengthening the Union. The Scottish National party has had two debates in this term. Its last one was on the claim of right. Why did his party not choose European topics to discuss when it had the opportunity?

Pete Wishart: I will tell the hon. Gentleman what we will do: we will try to help him out with the issue about strengthening the Union. You know me, Madam Deputy Speaker; I try as much as possible to be helpful in these debates.

Let us see how helpful it might be to the hon. Gentleman to look at a whole range of issues just now and see whether he would put them into the “Strengthening the Union” column or the “Diminishing and weakening the Union” column. Let us start with Brexit. How will we get on with that one? [Interruption.] The hon. Gentleman is chuntering away. It is what they do. I say to him that the Scottish people are watching this debate, and they see him chuntering, heckling and shouting away. They are not impressed with him behaving in such a way.

Douglas Ross: On a point of order, Madam Deputy Speaker. The hon. Gentleman is criticising me for apparently chuntering, but the point is I asked him a question two minutes ago that he has not answered. It would be respectful to this Parliament to answer the point, rather than chuntering away through his speech.

Madam Deputy Speaker (Dame Rosie Winterton): Let us see how helpful it might be to the hon. Gentleman. I want to emphasise again that using points of order just to get interventions in the debate on the record—the hon. Member for Perth and North Perthshire (Pete Wishart) was guilty earlier—needs to stop. It is not fair on others. Lots of Members want to speak, and this is not the way we should be having these debates.

Pete Wishart: The people of Scotland are watching, and what they are observing is something that they do not particularly like. Sometimes I wish the cameras would swing around when Scottish Conservative Members are at the height of their heckling and shouting, just so the Scottish public could see how they behave in this Parliament, but let us get back to the debate.

Let us look at a number of issues and help the Scottish Conservative Members assess whether those things are helping strengthen the Union. Is the way that the Government are so consensually and deftly negotiating this Brexit process helping to strengthen the Union? That is a hard, challenging question, because we have a Scotland that voted 62% to 38% against this mad, chaotic Brexit. In increasing numbers, Scottish people are deciding they want absolutely nothing to do with it. Some may say that this clueless, chaotic and delusional approach to the most significant constitutional change that Scotland has faced since the war may not necessarily go into the credit column in the debate on strengthening the Union.

Madam Deputy Speaker: Order. May I ask the hon. Gentleman to face the Chair?

Pete Wishart: Yes, Madam Deputy Speaker.

Let us look at where we are when it comes to Brexit. On the Brexit “madcon” scale, we are now at madcon 10. A no deal Brexit has now moved up from being possible to being likely. What does that mean for Scotland? According to a range of civil servants from right across Whitehall, the port of Dover will collapse on day one as Kent and the whole of the south-east of England becomes one big lorry park, while supermarkets in Scotland will run out of food within a couple of days and hospitals will run out of medicines within two weeks.

The UK Government—for goodness’ sake—are even preparing to issue 70 technical notices to families and businesses in the event of a no deal Brexit. We have had a little joke about can openers, but the Government are advising families to stock up on canned food, and they are telling businesses to prepare for a sudden exodus of EU nationals. That is what the UK Government are now saying to hard-pressed families in Scotland—and that before we even get on to air travel, holidays by the sea and mobile phone roaming.

However, Scotland will be hit the hardest economically by what the Conservatives are planning with their no deal, hard Brexit. Not only would we have conditions akin to a state of emergency, but Scotland’s economy could lose up to £10 billion a year—a fall of 5% in our GDP—with real household incomes falling by 9.6% for each family in Scotland, or by £2,263 per head. There may be some people who say that all these things will help to strengthen the Union, but may I offer the counter-contention? When people in Scotland get the opportunity to weigh up their constitutional options, they could choose the chaotic cluelessness of these Tories or they could decide that they want to manage their own affairs themselves, and I have a good idea of what the Scottish people will decide and conclude.

Let us look at another example of what the Conservatives are doing and assess the strengthening the Union column: what the hon. Gentlemen and the Conservative party are doing to our national Parliament with the power grab. Perhaps that is another cunning ruse to strengthen the Union and make the people of Scotland fall in love with the UK all over again. Devolution has been on a seamless trajectory since 1999—I have been in this Parliament since 2001 and I have seen three Scotland Acts, all of which gave significant new powers to our national Parliament—but with their Brexit, that has all ended, because for the first time devolution has been stopped and they have started to reverse it. The model with the reserved powers arrangement in the Scottish Parliament has served it so well—that has been the founding principle and the thing that has guided devolution through the past two decades—but the Conservative Government have decided that that is enough, and they are not prepared to allow devolution to go any further.

The Scottish Conservative MPs sometimes misunderstand the power grab, and I am quite surprised that they have not all been saying, “What powers are being grabbed from the Scottish Parliament?” I have never said that any powers will be taken from the Scottish Parliament—[HON. MEMBERS: “Ah!”] Now I have their attention, let me tell them how the power grab works.

There are powers returning from Europe. According to schedule 5 to the Scotland Act 1998, the reserved powers should go to the Westminster Parliament, but powers in devolved areas should go to the devolved legislatures. What has happened is that all the reserved
powers are going back to the UK Parliament, but the devolved powers have been grabbed and given to this House. It is called a power grab because powers that should be given to the Scottish Parliament have been grabbed by this Government. I hope that helps Scottish Conservative Members to understand properly what is happening.

**Sammy Wilson:** Does the hon. Gentleman not accept that what he is describing is a power release from Brussels to Scotland, rather than a power grab?

**Pete Wishart:** I have never said anything about no powers coming back to the UK. The point is that the powers that should rightly reside in the right hon. Gentleman’s Parliament and in my Parliament have been grabbed by the UK Government, and they will now be resting in Westminster, not in our devolved Assemblies. This is really important because our Parliaments—the right hon. Gentleman’s and the one in my nation—depend on the reserved powers model, and if that is broken, devolution is broken.

The Conservatives have started to muck about with the founding principles of our Parliament, and the Scottish people are watching: they are looking at what the Conservatives are doing, and they are not impressed. It is in line with what they are doing with the Sewel convention in relation to taking legitimate decisions of the Scottish Parliament to the Supreme Court to be challenged and possibly overturned. People may say that this all helps to strengthen the Union and that it is a very clever and cunning ruse by the Conservatives to get us back on board with the Union. However, I suggest that, once again, it is undermining their Union, and the power grab was very much to the weakening of the Union cause.

**Douglas Ross:** Will the hon. Gentleman give way?

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): Will the hon. Gentleman give way?

**Pete Wishart:** I do not have time to take any more interventions.

I ask the Scottish Conservative MPs—I may give way to one or two of them later—whether they are helping to strengthen or to weaken the Union in this Parliament. They came down here with 29% of the vote—the “Ruth Davidson opposes a second referendum” party did relatively well in Scotland—but they have lost five percentage points in the past year. Their constituents are watching them whine on about a Parliament that they can no longer question, and the power grab was very much to the weakening of the Union cause.

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We could get on to English votes for English laws. Does that strengthen or weaken the Union? Well, there is a hard one. We could also get on to the £1 billion that Democratic Unionist party Members were able to secure, of which Scottish Conservatives have not been able to get a single penny. However, let us just sum up where we are in the wider debate. If we look across the range of defining constitutional issues, we find, when the people of Scotland are tested in opinion polls, that independence now stands at 47%, or two percentage points up from our very impressive gains in 2014. We are very much on a journey with all this. Independence remains more or less at the level we had in 2014, and we are not even campaigning for independence at the moment.

The defining feature in all this will be the Conservatives’ Brexit—their hard Brexit—and how the Scottish people start to assess the situation. Scotland is currently tethered to HMS Brexitannia, which is heading full speed for the biggest iceberg ever encountered in political history. Unlike the real Titanic, this HMS Brexitannia is hurtling towards an iceberg at full speed in the full knowledge that that will sink the ship and all the souls on board.

For Scotland, however, there are lifeboats attached to this doomed and stricken liner, and they are marked “Independence”. All we in Scotland need to do is clamber aboard, get them off the vessel as quickly as possible and row towards the shores of independence, security and sanity.

**Several hon. Members rose—**

**Madam Deputy Speaker (Dame Rosie Winterton):** Order. I remind hon. Members that I said if they keep to less than 10 minutes, everyone will get in. This is about being considerate to others.

7.17 pm

**Bill Grant** (Ayr, Carrick and Cumnock) (Con): It is a pleasure to follow the hon. Member for Perth and North Perthshire (Pete Wishart). I am trying to cheer myself up, as his crystal ball looks rather gloomy at the moment—I hope it brightens up as the weeks go past.

I am a staunch supporter of this sovereign country. It is a Union of nations—the United Kingdom of Great Britain and Northern Ireland—which makes me a very happy Scot and very happy to be a Unionist. I do not want someone, a group of people or even a cult taking away from me my Britishness and giving me nothing back, except selling my soul back to Europe, which is the direction of travel SNP Members wish to take.

**Stewart Malcolm McDonald:** I am sorry, but is the hon. Gentleman referring to the Scottish National party as a cult?

**Bill Grant:** I mentioned that a cult is driving forward the break-up of the United Kingdom. If you are suggesting that that is the SNP, that is entirely your choice.

**Madam Deputy Speaker:** Order. May I once again say that we do not use the word “you” when referring to Members across the Chamber? “You” means me, which is lovely if you are talking to me. I ask Members to stick to that, otherwise it becomes very distracting.

**Bill Grant:** I will do so, Madam Deputy Speaker.

Within my own home, there is not simply a matrimonial union, but also a micro-union of nations, given that I was born in Scotland and my wife was born in Nottingham in England. She and I work together as a team and have done so for quite a long time—some 47 years, which I might add is longer than we have been in the European Union. We work as a team, and teamwork is just as important for the constituent parts comprising the United Kingdom.
One may well ask, “Why support this historical and cultural Union when you’re about to leave the European Union?” Perhaps Sir Winston Churchill summoned it up best in days gone by when he said:

“We see nothing but good and hope in a richer, freer, more contented European commonality. But we have our own dream and our own task. We are with Europe, but not of it. We are linked, but not comprised. We are interested and associated, but not absorbed.”

In more recent times, the Prime Minister has been endeavouring to ensure that the UK will form a new partnership with the European Union and has been aiming to build a fairer, stronger and more global Britain. Unlike others in the Chamber, I am confident that a deal will be achieved, despite the scaremongering we hear from various quarters.

It is clear that we must strengthen the precious Union between the four nations of the United Kingdom. As powers are repatriated to Britain, the right powers will be returned to Westminster and the right powers—many, many of them—will be passed back to the devolved nations. Indeed, in Scotland the SNP has suites of new offices in Glasgow and is recruiting a raft of new employees, which is strange if we in Westminster are taking all these powers away in what has been described as a power grab—I thank the SNP for that.

Developments since the 1707 Treaty of Union have in recent times included the emergence of devolved Administrations in Northern Ireland, Scotland and Wales. However, these devolved Administrations do not operate in isolation. Far from it: for example, much of the devolved Administrations’ spending is funded by grants from the UK Government—a common source and common pool to which all the nations contribute and from which they all benefit. One only has to think of the Barnett formula, which determines the annual change from which they all benefit. One only has to think of a new and powerful Department of the Union at Cabinet level”.—[Official Report, 20 June 2018; Vol. 643, c. 142WH.]

That would help to bind together Secretaries of State for Departments of Scotland, Wales, England and Northern Ireland. I believe the idea merits further consideration.

Stewart Malcolm McDonald: Is that not what No. 10 Downing Street is supposed to do?

Bill Grant: That is a very interesting point. [Interruption.] Yes, it is, but while things are very good, they could be better. Therefore, we need to improve on that good performance. We should be continually improving our performance to strive for a better set of circumstances.

Stephen Kerr: My hon. Friend is making an important point, just as the hon. Member for Glasgow South (Stewart Malcolm McDonald) did in his intervention. In Canada, for example, the current Prime Minister is the equivalent of a Secretary of State for the Union—such is the importance of driving the Union forward together.

Bill Grant: I believe the UK Government must do more in every policy area and, as my hon. Friend says, at every level to ensure that we do not simply devolve and forget. The UK Government still have a role to play in the devolved nations, and we must remember that the Scottish Parliament was never designed to replace Westminster, but rather to complement it.

I am confident that the leader of the main Opposition party in the Scottish Parliament, who relentlessly supports the Union, will nevertheless always stand up for Scotland’s place in the United Kingdom. Together as a United Kingdom we achieve much, but despite the scaremongering, I believe that our best days as a Union are yet to come.

As another Scot, Robert Burns, said:

“O let us not, like snarling tykes,
In wrangling be divided;
‘Till slap come in an unco loon,
And wi’ a rung decide it.
Be Britain still to Britain true,
Amang oursels united;
For never but by British hands
Maun British wrangs be righted.”

7.25 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): It is a pleasure to be here on this of all Mondays, speaking up for my constituents in Coatbridge, Chryston and Bellshill. In short, it is a pleasure to continue working on their behalf, as I will be throughout the summer recess.

Now to the Union, of which I am proud and which I campaigned tirelessly to defend. Today we are gathered here as the democratically elected representatives of the
people of Scotland, Northern Ireland, England and Wales. We are here to hold this shambles of a Government to account. We are here to fight for a sensible way forward on our relationships with the European Union. We are here to fight for and defend the jobs of working people in all four nations of the United Kingdom. We are here to ensure that the internal dynamics and fallouts of the Tory party do not decide the future of our country. We are here to defend the principles upon which the national health service was formed. And, as the debates over recent weeks have shown us, we are here to defend all that is good about our country and fight against all that is bad.

I am here to ensure that Coatbridge, Chryston and Bellshill has a loud, passionate, effective and local voice down here in Westminster. I am also a champion of our community in North Lanarkshire, which I am proud to serve. As I have said in the House before, my pitch to the people in my constituency at the snap general election was pretty simple. I had spent my career working for Royal Mail Parcelforce and delivering parcels to people across my constituency. I asked them to send me down here to continue delivering for them. I was grateful for the opportunity to serve them and I am grateful for it today.

As we approach the summer recess, I reflect on the last year that I have spent here. I am proud to be a Member of the Parliament of the United Kingdom and I am proud to have the chance to stand up for my neighbours and the people for all communities. I am determined to spend every day I have in this place focusing on getting a better deal for working people.

It is always tempting to call out the Government for their heartless policies, their misplaced priorities and their lack of respect for the people of England, the people of Wales, the good people of Northern Ireland and the fine people of Scotland. In last year’s general election, Tory MPs from Scotland were called “Ruth Davidson’s Conservatives”. They were meant to be compassionate. They were meant to care. They were meant to be different. That was all an image—a campaigning narrative, a fiction. The last year has shown that Scottish Tories on the Government Benches may have been narrative, a fiction. The last year has shown that Scottish to be different. That was all an image—a campaigning compassionate. They were meant to care. They were meant to be Davidon’s Conservatives”. They were meant to be.

As Tony Graham, the Scottish director of the Trussell Trust, said, “it is completely unacceptable that anyone is forced to turn to a food bank in Scotland”.

We are, we must be, and we always will be better than that. The decisions taken by politicians make a difference. They have an impact and they do change lives.

I was thinking over the weekend about what I wanted to say today, as I attended a number of community events across the constituency. There was one theme in my thinking: what does this Union mean for my constituents and for our country? What can we do in this Parliament? What can our colleagues in Cardiff Bay, Holyrood and Stormont do to make our four nations better, more inclusive, more equal and more just? As some may say, how can we deliver for the many, not the few?

I am very firmly of the view that the people of all four nations are sovereign. They have the ultimate say. They are our boss, and they have the right to determine the form of government best suited to their needs. That is a principle that I believe in and, importantly, it is a fundamental principle that the Labour party is very proud of. It was a Labour Government who restored power to the people, and it was a Labour Government who allowed the people of Scotland and Wales to vote in Scottish Parliament and Welsh Assembly elections to elect a Scottish Government and a Welsh Government as part of our United Kingdom. Devolution strengthened the Union in the late 1990s and early 2000s, and that strength is obvious today. While it is my responsibility to call out the Westminster and Scottish Governments, I respect the fact that each received a mandate from people across the United Kingdom.

I am so sick of seeing in my surgeries and in my inbox stories of the impact of this Tory Government on my constituents in Coatbridge, Chryston and Bellshill. On a national level we have seen jobcentres closed; local Department for Work and Pensions offices closed, including one in Coatbridge; housing benefit for under-25s scrapped; support and funding for local authorities across the United Kingdom slashed; and children across the United Kingdom plunged into poverty—and those are the children of parents who work. That is just to name a few of the divisive and unnecessary decisions taken by the Tories, first under Cameron and now under the present Prime Minister.

Since 2010, the Tories have unleashed a programme of unprecedented spending cuts covering all areas of the support network for people in this country. The House of Commons Library has provided information revealing that since 2010 a staggering 86% of the burden of austerity has hit women up and down this country. The Welfare Reform and Work Act 2016 Act did some disgraceful things. I am just sorry that I was not a Member.
of this House at that time, because I would have spoken out against the Tories’ Act. There was also the abolition of the Child Poverty Act 2010. The Tories and the SNP always talk about the last Labour Government. I welcome that, because the last Labour Government lifted over 1 million children out of poverty.

I want to say a word here about how Labour, when in leadership, can deliver real results for people. In my own area, north Lanarkshire, the Labour-led council, under education officer Councillor Frank McNally, has announced plans to provide free school meals to children who need them, 365 days a year. This is the first time that has happened anywhere in our United Kingdom. I am delighted that the birthplace of Keir Hardie is leading the way, and I hope many others will follow.

Stewart Malcolm McDonald: How come that when that same measure was proposed by the SNP administration in Glasgow, Glasgow Labour voted against it?

Hugh Gaffney: It was not a council in Glasgow but a council in north Lanarkshire, and I voted for it.

We will overcome, despite the shambles of the Government here in London. We should not forget that half the Tory party are following the Prime Minister and the other half are following the hon. Member for North East Somerset (Mr Rees-Mogg). As for the former Foreign Secretary, he is holed up in a grace and favour residence a few minutes away from here with no friends at all.

As I conclude, I would like to wish all the staff of the House—the people who keep this place going—a happy and enjoyable summer recess. I am sure life will be easier without us around. I would like to wish my team and the teams of all Members a happy recess, too.

Hugh Gaffney: It was not a council in Glasgow but a council in north Lanarkshire, and I voted for it.

Madam Deputy Speaker, I am proud of our country, and above all I am proud of our nation’s biggest strength: the people who send us here.

7.35 pm

Luke Graham (Ochil and South Perthshire) (Con): It is a pleasure to speak in this debate.

We should speak about some of the positives of our great country, these great nations with so much in common. As I have said before, it came from a man with vision. James VI of Scotland and I of England saw the opportunity in Great Britain. He commissioned the Union flag and regularly pushed for full Union in the United Kingdom. The pushes for the Union were not just with him: they were in 1606, 1667 and 1689—I am sorry the hon. Member for Edinburgh East (Tommy Sheppard) is not in his place; we could go history notes on history notes—before finally in 1707 we had the Parliament of Great Britain. Historian Simon Schama was right when he said it was a “full partnership” that became “the most powerful going concern in the world... it was one of the most astonishing transformations in European history.” That partnership shows that Scotland is not a victim; it is a leader in the United Kingdom.

What have we achieved? We hear a lot in this House about all the negatives of Westminster: how bad it is, what a disgrace it is, how much it has let people down. That is right, Madam Deputy Speaker, it did let people down: through the industrial revolution, the political enlightenment, the abolition of slavery, the establishment of the NHS, the creation of the welfare state and being a key player in the creation of the United Nations and a whole structure of local governance that has kept peace and security in our world for the past 60 years.

Alex Chalk (Cheltenham) (Con): My hon. Friend is making a powerful speech about the positive benefits from this Union. Does he agree that one of the key aspects of that great litany of achievements is that Scots have been at the front, leading those achievements throughout history? That is something to which, as an English MP, I pay proper tribute.

Luke Graham: I thank my hon. Friend, and I could not agree more. My office has been involved in helping out a constituent who is championing the cause of a former constituent of the hon. Member for Perth and North Perthshire (Pete Wishart) who was involved in the foundation of Singapore. Often overlooked in favour of Raffles, my constituent is making sure that this noble man from Perth receives the recognition he so rightly deserves.

Our Union enabled us to have victories not only on the battlefield but in sports stadiums, with Scottish athletes bringing 19 gold, 27 silver and five bronze medals in summer Olympics since 1997—trained, funded and championed by Team GB. In science and technology, it is not about competition between Scotland and the rest of the United Kingdom but working together. One fine example is that of the Boulton and Watt steam engine. The first one in Scotland was in my constituency in Clackmannanshire, used by the Kennetpans distillery. Clackmannanshire led the way in technology then. I hope that, through the geothermal project that I hope the Department for Business, Energy and Industrial Strategy will support in this House, Clackmannanshire will once again lead the way in technology and renewable energy.

It does not stop there. We also had Dolly the sheep, funded by PPL Therapeutics and the then Ministry of Agriculture. The Forth Road bridge, which was an engineering achievement of its time, was 78% funded by Westminster. More recently and most excitingly for the “Star Trek” fans in this House—I know there are many on the SNP Benches—a collaboration between a Scottish university, the University of Dundee, and an English university, the University of Southampton, funded by UK Research and Innovation, created a tractor beam. How forward-looking could we be?

What is the Union about? It has to be about more than money. With almost the equivalent of one fifth of Scotland’s population living in England, it is about the shared values that we hold of democracy, justice and international humanitarian aid, as demonstrated by the nurse, Pauline Cafferkey, who was saving lives abroad in Sierra Leone under the British flag, before falling victim to Ebola. When she returned home to the United Kingdom, she received life-saving treatment in London before returning home to Glasgow. That is what true Union is about.

In the United Kingdom, we are proud not just of the nations, but of our proud regions and counties. That is why in supermarkets people champion Devonshire custard as much as they do Perthshire strawberries. Rather than
there being just a homogenous bloc of Scotland versus England, people want to know the county, town and village—all around the country—from which the products are sourced.

Pete Wishart: I am very grateful to the hon. Gentleman, my neighbour, for giving way—[Interruption.] He is from south Perthshire; he is my neighbour when it comes to these things. There is very little of what he says that we would ever disagree with or dispute, and in fact, we would probably very much endorse nearly everything he says. However, why does he feel that we need a political Union between Scotland and the rest of the United Kingdom to enjoy all these wonderful relations, our heritage and our shared history? Surely that is not necessary.

Luke Graham: I thank my neighbour for his intervention. I am glad that we have so much common ground between us. The simple answer is that it gives our constituents the opportunity to leverage not only the combined power of around 5 million, but the full power of over 65 million together to resource their sports, help to fund their armed forces and push forward science and technology in a way that other countries can only dream of. That is why we have this House: individual Members are equal in it. The hon. Member for Perth and North Perthshire is equal to the hon. Member for Ochil and South Perthshire—certainly in their place here—or the Members for Oxford West and Abingdon and for Dundee East, and for any other seat in the United Kingdom.

There have been three centuries of family and social ties in the United Kingdom. We have competitive spirit in sport, but for every Scotland versus England rugby match that brings up old rivalries, there is always an episode of “Doctor Who” to bring us back together again. No one should be bullied into choosing between being Scottish or British. People can be Scottish, English, Welsh, Northern Irish and British, and be proud of both.

A lot is said in this House about the differences between parts of the United Kingdom, but when it comes to social attitudes surveys, there are very many times that Scotland and England come out exactly the same in what respondents say. In fact, the only difference is about immigration, on which there is usually a one to two percentage point difference between England and Scotland. When we consider how few immigrants Scotland has had compared with England, we can probably see why there is that result.

Our past battles have been shared, but so are our future challenges, such as climate change, the rate of technological advancement and globalisation. On not one of those challenges will we be better facing it alone. It is by working together that we can combine our resources and look forward, so that we can do things such as improve education, invest in infrastructure, champion initiatives and, for example, launch things that bring together citizenship and science and technology and be the country that brings about the first tractor beam.

At Prime Minister’s questions last week, I mentioned the spaceport in Sutherland as an example of what we can do to provide for the future and our constituents together. We used to be a country that ruled the waves. I hope that in the 21st century, we can be a country that reaches for the stars.

7.43 pm  

Alison Thewliss (Glasgow Central) (SNP): I am grateful to the Government for giving us this debate, because it has given me the opportunity to wear this skirt, which I had given up wearing after my colleagues reckoned that it was a Unionist skirt and that I should not take it out of the wardrobe anymore. I am very disappointed that the hon. Member for Edinburgh South (Ian Murray) is not here in his suit, so that we could be matching. I have not seen that suit since the referendum campaign—

Ian Murray: I am wearing a suit.

Alison Thewliss: He knows the suit I mean! If we are talking about clothing, the Union is more like a fur coat, nae knickers type of deal. It is funny how far we have come since the independence referendum and the scare stories that we were given. Lord Robertson said that it would have a “cataclysmic” effect on world security—well, look at where the world is now anyway. There was George Osborne and his currency bluff. There was Alistair Darling and his scares about pensions—tell that to the WASPI women who have not received their pension because of the UK Government’s actions, and that includes parties on both sides of this House. We had talk about border posts between Scotland and England and all the scare stories that went along with it—tell that to those in the island of Ireland who now face that real prospect. I have spoken to people who tell me that the border runs through their kitchen. They cannot even get to their cake to eat it because it will be on the other side of the kitchen if the Government have their way.

I draw the House’s attention to the excellent report by Chartered Institute of Environmental Health on Brexit and food security. It says that there are significant risks to food flow in the United Kingdom, including that the failure to keep food central to the Brexit negotiations could have a catastrophic impact on our food security and for those whose jobs rely on it. It says that UK food resilience is fragile and dependent on “just in time” delivery systems that could quickly grind to a halt if border controls were reimposed. It says that the Government are ambiguous at best on the question of migrant workers and how essential they are to the current working of the UK’s food system and that the current approach is imbalanced, with the specific needs of Wales, Scotland and Northern Ireland, whose economies are highly food-dependent, being repeatedly sidelined. It also criticises the UK Government for their fundamental mistake in aiming only for alignment in farming and manufacturing but not for retail or food service, which are both absolutely huge.

All these concerns fall on deaf ears. These are not scare stories, but legitimate concerns that we never got anywhere close to in the independence debate. The biggest scare story, however, was the prospect of being forced out of the EU. Famously, Better Together tweeted:

“What is process for removing our EU citizenship? Voting yes. #scotdecides”

Scotland decided then, but it is in a very different position now.

Stewart Malcolm McDonald: Will my hon. Friend enlighten the House as to why she thinks that account has deleted that tweet?
Alison Thewliss: I think that the account has perhaps deleted the tweet because it was getting so many retweets from people pointing out the utter hypocrisy of that position. It is entirely in our gift now as a nation to revisit that decision, given what has changed. Just yesterday, I had an email from a constituent who said: “though I am not a Nat, I am coming to the conclusion that an independent Scotland within the EU would be the best outcome, at least for Scotland, from all this mess.”

Lots of people feel that same way and have reserved the right to change their mind when the circumstances have fundamentally changed.

Chris Stephens: My hon. Friend is making an excellent speech. One of the people who have now said publicly that they have changed their mind is Mike Dailly, director of the Govan Law Centre, who during the referendum campaign was on platforms for Better Together.

Alison Thewliss: Absolutely. He joins Murray Foote, one of the authors of “The Vow”, who has come round to the other point of view, having seen where this ridiculous Tory Government have taken us.

I want to turn to a few issues where I feel that Scotland—Scotland’s views and Scotland’s voice—has not been respected. One of the issues that I have campaigned on is the two-child policy and the rape clause. Scotland’s women’s organisations—all of them—and Scotland’s Government spoke out against this policy, but the UK Government have implemented it anyway, in the full and certain knowledge that it would push people into poverty. That policy is not finished now, because from February 2019, regardless of the date of a child’s birth, new claimants will not be able to receive the child amount for three or more children unless an exemption for the third or subsequent child applies. We do not even know what the impact of that policy is yet. The research has not yet been done, but we know that 73,530 households have been affected so far by the two-child policy, and we are only one year in.

What do the demented Unionist Daleks say about this? “Mitigate! Mitigate!” They say “mitigate” for a policy that we did not want, did not vote for and we will not have, but we are having it imposed because child tax credits are a UK Government policy. That ignores the evidence of organisations such as Turn2us, who say that women feel pressured into having abortions because of the two-child limit. It has evidence to suggest that this has actually happened. Government Members sigh and roll their eyes, but this is actually happening in the UK today. It is no Union dividend. This also ignores the fact that no claims under the rape clause have been made in Northern Ireland, probably due not least to the fact that the Attorney General started issuing guidance only a year after the policy came into effect. That was a whole year in which women and organisations were liable to prosecution under the Criminal Law Act (Northern Ireland) 1967 as a result of this policy.

Luke Graham: The hon. Lady is making a point about a very sensitive policy area, on which we have had a lot of debates in this House. Does she not realise that when it comes to policies such as this, they are for the entire United Kingdom? I take issue with her divisive tone and her saying that it is Scotland’s problem, not England’s. These policies affect all the United Kingdom, so if there is an issue, it is an issue with the policy, not the nation.

Alison Thewliss: I have campaigned solidly in favour of getting rid of the policy throughout the UK. All that the Scottish Tories have said—all that those Daleks have said—is “mitigate, and mitigate”, but I want to get rid of it for everyone.

There is another area in which the UK is not doing its part. We want the drug laws to be changed in Scotland. Last year there were 934 drug-related deaths in Scotland, and the vast majority were in the city that I represent. Glasgow City Council and the local health and social care partnership have a plan—a policy. They want to introduce drug consumption rooms, so that we can mitigate the worst of this terrible scourge of society.

There are drug consumption rooms now, but they are in back courts, bin sheds and dirty lanes all over the city. That does not serve anyone well. We have a public health emergency in the city of Glasgow, but all that the Prime Minister could say last week was, “Oh, that is too bad. It is really sad that that people die from drugs.” We have a policy and we want to get on with it, but the UK Government will not devolve that policy. They see fit to allow people in Scotland to go on dying as a result of drug overdoses, when we have a public health solution that could have an impact on their lives.

Then there is the issue of immigration. Scotland needs immigration. We need people to come to our country and participate in our economy, but what do the UK do? They say, “No, you cannot have those powers. Those powers will stay with us.” Constituents of mine who made a minor, legitimate change to their tax returns find themselves, under paragraph 322.5 of the Immigration Rules, branded a threat to national security and told to leave. They are highly skilled migrants who could bring many skills to this country. We should be valuing and thanking them, but what do the UK Government give them? They give them a hostile environment. They give them a policy that Scotland does not want.

When Glasgow City Council was a Labour administration, it put a sign over the door saying, “We welcome refugees”, and I am proud of it for doing so. That is the nation that we ought to have. We want nothing to do with the hostile environment, but while immigration law stays at Westminster, we have no say over this issue. The UK Government should hang their heads in shame.

As for Labour Members, they talk about employment law and low wages, but what did they do? They refused to devolve employment law to Scotland. We want to make those changes. We want to give our people better conditions. In the areas where we do have control, we have encouraged people to take up the real living wage—not the Chancellor’s “pretendy” living wage, which is not available to young people. There has been a high uptake, but we do not have the full control over employment law—over zero-hours contracts, for instance—that we would like to have.

The Labour party did not even deign to give us part of its World cup bid. Immediately after the World cup, Labour Front Benchers were saying, “We should have a World cup bid for England.” It is some Union if Scotland is not even involved in the football. That is literally taking the ball and going away.
I must finish my speech now, and let other Members speak. Let me end with the great words of the White Stripes, in a song that they took from “Citizen Kane”. You will have to forgive me, Madam Deputy Speaker, because it is a direct quotation, and there will be a “you” in it.

“You said, the union forever
You said, the union forever
You cried, the union forever
But that was untrue, girl.”

7.52 pm

Douglas Ross (Moray) (Con): I think it is important, before I get into the main context of my speech, to pick up some of the highlights we have had so far. I use the word “highlights” with some caution, but we have heard one major admission in the Chamber today. Following a point I made—I wrote it down: “So Welsh Labour believes in the Union, Scottish Labour does not”—at the Dispatch Box, Scottish Labour’s most senior politician in this Parliament, the hon. Member for Kirkcaldy and Cowdenbeath (Lesley Laird), said, “Yes. Where have you been all these years?” The shadow Scottish Secretary confirmed, from the Dispatch Box, that Welsh Labour believes in the Union and Scottish Labour does not. I think that that will be a very important message for people in Scotland to hear because Labour was once a proud Unionist party in Scotland. At the last election and since the referendum, we have seen that it is no longer a strong supporter of the Union, and I am very concerned to hear those words from the lady. Lady Laird:

Can I clarify the record, so that there is no misunderstanding? I think that I clarified the issue when I was asked earlier whether I was a Unionist and whether I also supported Scotland. I can confirm both again, not just for me but for my party. We are absolutely a party of the Union. We are a party of democracy. We are the party of devolution and we will not waver from that. If I inadvertently said what the hon. Gentleman says that I said, it was inadvertent, and I absolutely take that statement back.

Douglas Ross: That is a very important clarification because I have checked the official record and I said, in this Chamber, “Does Welsh Labour support the Union and does Scottish Labour not support it?”, and the hon. Lady is on record as saying, “Yes. Where have you been all these years?”

Lesley Laird: Can I clarify the record, so that there is no misunderstanding? I think that I clarified the issue when I was asked earlier whether I was a Unionist and whether I also supported Scotland. I can confirm both again, not just for me but for my party. We are absolutely a party of the Union. We are a party of democracy. We are the party of devolution and we will not waver from that. If I inadvertently said what the hon. Gentleman says that I said, it was inadvertent, and I absolutely take that statement back.

Lesley Laird rose—

Douglas Ross: The hon. Lady has clarified that, and I have only 10 minutes in which to speak. I am grateful for her clarification.

Lesley Laird rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. Is the hon. Gentleman going to take an intervention?

Douglas Ross: I think that the hon. Lady has clarified the position, and I have only a few minutes.

Madam Deputy Speaker: Perhaps the hon. Gentleman would like to take the intervention.

Lesley Laird: Having clarified the point, I should be grateful if the hon. Gentleman stopped repeating a statement that I have already corrected. That would be extremely helpful, not only to the House but, obviously, to the public outside.

Douglas Ross: Thank you, Madam Deputy Speaker. I want to move on, because I think that is an important point that we have discussed.

There were some other, what I would class as highlights. The hon. Member for Edinburgh East (Tommy Sheppard) is no longer in his place. I have come very late to “Games of Thrones”. I have just finished watching season 1. Not even “Game of Thrones” season 1 goes as far back as the hon. Gentleman did in his speech. He spoke for 20 minutes, and about 18 of them were prehistoric, but he chose to totally omit some of the major developments that we have had in Scotland. He gave cursory notice to the 2014 independence referendum. I wonder why. Because the SNP lost. Then he mentioned the 2011 Scottish parliamentary elections, where the SNP was elected with a majority. Why then did he not mention the 2016 Scottish Parliament elections, when the SNP lost its majority? It now relies on votes from the Green party to keep itself going.

The hon. Member for Perth and North Perthshire (Pete Wishart) has also left. He always gives us very entertaining speeches. I had to wonder why we had all this talk about HMS Britannia, and then it came to me. Clearly, the editor of The National had been on the phone and said, “We have a great idea. We have a great picture to put on the front page of The National, but we need someone to give us a story”—and, as always, the hon. Gentleman obliged.

Stewart Malcolm McDonald: May I take the hon. Gentleman back to his point about elections? What happened to the Conservative party in 2017? Did it lose its majority and does it now have to rely on another party to get things through Parliament?

Douglas Ross: Yes, and we have discussed that many times but, as a minority, we are governing in the United Kingdom. We can keep going on about elections. We can speak about the 162 extra Conservative councillors who were elected in 2017—more than any other party in Scotland. We can speak about the 13 Scottish Conservatives elected to this Parliament, or the 21 SNP MPs who lost their seats. I am quite happy to compare election results with the hon. Gentleman.

I want to return to the subject of the referendum that we held in Scotland in 2014. My Moray constituency was very clear: 58% of people in Moray said no to separation. We had another referendum in 2016 and Moray came closer than any other part of Scotland to voting leave: 49.9% of people voted leave, compared with 50.1%—a difference of just 122. So when we hear that Scotland voted by such a big margin against leaving the European Union, we must always remember and respect the fact that there are people in all our constituencies who voted to leave the European Union and we have to try to get a deal that works for everyone.

This, however, is a debate about strengthening the Union. I am delighted to take part in this debate because in Moray we know about the strength of the Union far better than many others—because we have a great defence footprint in the constituency. We have Kinloss...
barracks and the 39 Engineer Regiment, and, of course, RAF Lossiemouth, which has had huge investment. I am grateful that the new defence procurement Minister—the Under-Secretary of State for Defence, my hon. Friend the Member for Pudsey (Stuart Andrew)—is on the Front Bench today. I am sure that he will be a regular visitor to Moray to see the huge investment—the £400 million of investment by this UK Government in defence at Lossiemouth—and hundreds of new jobs.

We heard from the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Norwich North (Chloe Smith), about the incredible decision by the UK Government to mitigate the nat tax. The SNP made Scotland the highest taxed part of the United Kingdom. Our poor armed forces—our service personnel who proudly serve the United Kingdom at home and abroad—were suffering because of that. It is only because this UK Government mitigated the SNP Nat tax—

Stewart Malcolm McDonald: I am always grateful to debate this issue with the hon. Gentleman. I have asked him to do this before, and I hope he will do it this evening. Will he support the UK Government now reimbursing the squaddies in other parts of the UK who are paying more tax than frontline squaddies based in Scotland?

Douglas Ross: The Ministry of Defence pays our hard-working and extremely brave servicemen and women the UK rate—the same level of tax. It is only because the SNP decided to make Scotland the highest taxed part of the United Kingdom that we were forced to mitigate that. [Interruption.] SNP Members can chunter away from sedentary positions and shout down this policy, but how dare they say the £4 million—

Stewart Malcolm McDonald: Will the hon. Gentleman give way?

Douglas Ross: No, I will not give way. How dare SNP Members say the £4 million annually that this UK Government are paying to mitigate their policy is wrong? That is absolutely scandalous, and armed forces personnel in Scotland will be viewing—[Interruption.] SNP Members can chunter away from sedentary positions and shout down this policy, but how dare they say the £4 million—

That is not me saying that; that is the IFS saying that the SNP’s cuts commission will lead to immediate cuts to defence. John McLaren of Scottish Trends made an apposite point when he said:

“Scotland will be moving from a deficit equivalent to nearly 6% of GDP towards a 3% target. It doesn’t take a mathematical genius to work out the implications.”

The implications for our constituents in Moray and across Scotland are that, under the SNP and its cuts commission, we will see more cuts to local authorities and more cuts to the NHS, and I will not accept that.

Bill Grant: Does my hon. Friend sense, as I do, that the SNP’s objective is to get independence for Scotland at any price? The SNP will pay any price and the people of Scotland will be the victims of its desire to break up the United Kingdom.

Douglas Ross: Absolutely. My hon. Friend makes a very serious point. The outcome of independence does not matter to the SNP; it simply matters to the SNP that it gets independence and separates from the rest of the UK. And it does not matter that it affects my constituents in Moray, with cuts to NHS Grampian, one of the poorest funded health boards anywhere in Scotland. That is why I have been joining protestors across Moray against the downgrading of our maternity services; that is the outcome we have from an SNP Administration in Holyrood after 11 years of them in government.

I wanted to make many other points. I wanted to briefly highlight power grabs, something that, again, the hon. Member for Perth and North Perthshire mentioned. I think there is a power grab going on, and it is by the SNP, because it wants to grab these powers from Europe, and it does not want them in Holyrood or in Westminster; it wants them back in Europe. That is a power grab—the SNP grabbing these powers to give them back to Europe. The fishermen in my Moray constituency do not want that. Many of the one third, we are told, of SNP supporters who voted to leave the EU must now be wondering what their party is promising them because the policy is for the hated common fisheries policy to go straight back to the EU. So many other policies that are currently ruled by Europe would go straight back to the EU if the SNP ever got its way. [Interruption.] I have seen the wink in your eye, Mr Deputy Speaker, so I know my remarks must now come to a conclusion. [HON. MEMBERS: “Hear, hear.”] Again, SNP Members cheer because someone had an opposite view from them and they are about to finish their speech. They can give it out but they cannot take it.

This Conservative Government are strengthening—[Interruption.] SNP Members keep shouting. This Conservative Government are strengthening the Union. More powers have been devolved to Holyrood by this UK Conservative Government since 2010 than any others, making it one of the strongest devolved Assemblies anywhere in the world. As a result of Brexit, with so many more powers going to the Scottish Parliament and to Holyrood, it will just get stronger. That is how we are strengthening the Union.

8.3 pm

Danielle Rowley (Midlothian) (Lab): I am upset to be called after the hon. Member for Moray (Douglas Ross) because as a result I was not included in his greatest hits, but there we are.
Over the past weeks, months and years, we have seen the Union becoming weakened or threatened. Some say events such as the Scottish independence referendum, the EU referendum and the subsequent mishandling of the Brexit negotiations have all taken their toll, but underpinning those events is the ongoing wrecking of our communities and people’s trust in politics by this Tory Government. We need to learn from these recent examples when the Union has been at risk, but we also need to evaluate why people decided to vote in their masses for such drastic measures and such changes to the Union.

Constituents who voted for Scotland to leave the UK and for Britain to leave the EU tell me they did so because they wanted change. They are fed up with this broken system that sees the privileged few at the top and then the many, the masses, being told that we all need to bear the brunt—we need to tighten our purse-strings. We are struggling to get by. We are saving up for nice things, but then having to spend savings on essentials instead. People are seeing their local services decimated and their streets full of rubbish, with their councils unable to afford regular bin collections. No wonder people want change.

But we cannot accept the Tory approach of sweeping all of that under the carpet and bleating on about the power of the Union while working people reluctantly turn to food banks to feed their families. But we also cannot accept the SNP approach that we have seen of peddling the lie that everything would be better after independence, while simultaneously hiding austerity in its so-called growth commission.

The Union across our nations is of course a result of hundreds of years of co-operation and decisions taken at a political level. But it is also essentially something that exists in the hearts and minds of people across the UK. For many people, being a part of the Union fills them with pride and in some cases provides them with an identity. However, sadly, in Scotland today, how we talk about our identity has changed. It is a sad fact that, as has been highlighted, some people feel forced to choose between their Scottish and British identities. None the less, there are various events that cut across the nationalistic identities, and I want to share my view of my identity.

I am from Dalkeith in Midlothian, a mining town, and just last weekend I made my way to the “big meeting” which, to explain to other Members, is the Durham Miners’ Gala. For almost 150 years, people from across the UK have made the cultural pilgrimage to Durham to celebrate our shared history and the work we are carrying out in the trade unions and the Labour party to make people’s lives better across the UK. The people who gather there have a shared identity and culture that remains unbroken within mining communities such as mine. I would feel at home in any mining community across the country; whether in Wales, the north-east or Midlothian, I could go into a miners’ club and feel at home and they would literally have the same wallpaper. But of course this identity is not unique to mining communities. My identity is class rather than nationality based, but I absolutely respect every identity that people choose. People have shared identities that come from varied communities, the NHS, common interests and sectors, family heritage and political will.

Recently, people came together in their thousands to promote British values of tolerance and equality. Members from across this House may have joined the thousands of people across the UK who protested against the values and ideas espoused by President of the United States, Donald Trump. We as a country showed that we reject his politics of misogyny and we stand up to hatred. Such demonstrations were held across the UK.

It is for those reasons, and more, that I believe that there is a commonality and a shared identity that exists across the United Kingdom, but regardless of where in the UK people are and where they live, this is being eroded by the damaging and often heartless policies of the current Government. I want to give a few brief examples.

We have a Government who are content with cutting taxes for millionaires, while at the same time cutting benefits paid to the most vulnerable in our society. Across local authorities affected by the roll-out of universal credit, we see soaring shortfalls in councils’ rental income. In my own constituency of Midlothian, rent arrears are up by more than a fifth, with temporary accommodation arrears a staggering 278% higher since UC full service began. Every penny that is lost to local authorities in rent arrears represents a person pushed further into debt by this Government and their policies.

Mr Sweeney: My hon. Friend is making a powerful speech about the fact that solidarity transcends borders and is grounded in class politics. Does she also agree that the hostile environment policy in this country is another thing that we need to tackle collectively as one people? My constituent, Giorgi Kakava, who is in the Gallery today, is an example of someone affected by that policy, which we must challenge if all the people of the United Kingdom are to have a secure future.

Danielle Rowley: I absolutely agree with my hon. Friend, and I wonder what the Windrush generation feel about their British identity.

I know that this debate is on the Union, but I feel that it was important to mention those points because many people who come into my office are in need of food bank referrals or of assistance with correcting mistakes in their universal credit payments. They will be seeking a political alternative to the harsh policies affecting their lives, and that is what makes them seek change. I hope that Members across the House, especially those in the Government, will recognise the real and serious threats that these policies are posing to the Union.

For many people, the answer is to rip up the Union and go it alone, but I do not believe that that should happen. We saw that during the Scottish independence referendum, and I fear that the Government have not yet learned from that or from the European Union referendum. If they are serious about strengthening the Union, they should stop their damaging policies and instead look at new ways of strengthening and improving the Union, such as adopting a model of federalism and devolving decision making to local level.

A Labour Government would establish a constitutional convention, as described by my hon. Friend the Member for Edinburgh South (Ian Murray), to challenge where power and sovereignty lie in politics, the economy, the justice system and our communities. We want to extend democracy locally, regionally and nationally, exploring
the option of a more federalised country. We need a relationship of equals with devolved Administrations throughout the UK. In this regard we differ from the SNP, which has sought the path of centralisation to strengthen the powers and influence of the Scottish Parliament, often at the expense of local government.

So how do we strengthen the Union? We can do it by treating people right across the UK as humans and with dignity; by ensuring that we have equality of opportunity in every community in the UK; by giving workers in Scotland, England, Northern Ireland and Wales a proper wage of £10 an hour and secure work; by valuing all our workers and giving them real protections and good wages; by providing reliable and dignified support for those who cannot work; and by showing respect for our devolved nations, with well funded local councils.

I would like to give the House a quick anecdote. In 2014, I made a film during the referendum campaign, and I was privileged to come here to Parliament to interview the man I am now honoured to call my hon. Friend the Member for Bolsover (Mr Skinner). He gave me a lesson in collectivism. He told me that, in his life and looking through history, he had found that the challenges of capitalism had never been defeated by running away or by separating off and turning our back on things; instead, they had been defeated by coming together and collectively challenging the issues. So, yes, let us be ambitious and let us scream for change and an end to this top-down, unequal and unfair system, but let us choose the best way to reform our society and keep our Union strong at the same time. That is achievable, but it is clear to me—and it is becoming clearer to those who cannot work; and by showing respect for our devolved nations, with well funded local councils.

8.13 pm

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): I am delighted to rise to speak in this debate this evening. In fact, there is nowhere else I would rather be on a beautiful July evening than here, and no issue that I would rather discuss than the Union yet again. It is an issue that is close to my heart, and close to the hearts of my constituents, 60.4% of whom voted to remain in the UK in 2014, and 67.6% of whom voted for Unionist parties in last year’s general election. Despite what SNP Members say, what I hear regularly from my constituents, and I was privileged to come here to Parliament to interview the man I am nowhonoured to call my hon. Friend the Member for Bolsover (Mr Skinner), He gave me a lesson in collectivism. He told me that, in his life and looking through history, he had found that the challenges of capitalism had never been defeated by running away or by separating off and turning our back on things; instead, they had been defeated by coming together and collectively challenging the issues. So, yes, let us be ambitious and let us scream for change and an end to this top-down, unequal and unfair system, but let us choose the best way to reform our society and keep our Union strong at the same time. That is achievable, but it is clear to me—and it is becoming clearer to people up and down the UK—that the only way to do that is to deliver a Labour Government.

Those are the words that Alex Salmond did not say on the morning of 19 September. They are taken from the speech that he had prepared to use if Scotland had voted yes in 2014. It is a pity that he was not so keen to renew that commitment to implement the will of the people following the actual result. Unlike the SNP, the Conservative party kept to the spirit of the agreement, respected the result and delivered everything it had promised through the Smith commission to build a strong Scotland with a powerful voice inside a United Kingdom of which every Member in this House should be proud.

Patrick Grady (Glasgow North) (SNP): But Ruth Davidson promised that if Scotland voted no it would get to stay in the European Union. How come that has changed?

Andrew Bowie: I think the hon. Gentleman for that intervention, but of course she did no such thing. The people of Scotland went into the referendum in September 2014 in the full knowledge that a referendum on our membership of the European Union was coming down the tracks. It had been promised in January 2013, a full year and nine months before the September 2014 referendum.

It seems hard to believe it now, but when the Scottish Parliament and the Welsh Assembly were created in the 1990s, the goal was to strengthen the Union. Lord Robertson of Port Ellen might not have got it exactly right when he declared in 1997 that devolution would “kill nationalism stone dead”. I will admit that the temptation on our side, and probably elsewhere, to say “we told you so” is sometimes rather strong, as the only thing that it seems to have killed is the Scottish Labour party and the Scottish Liberal Democrats:

We are the party that respects the 2014 referendum result and the 2016 referendum result, so we are the only party that respects the original aim of the devolution process: to bring politics and decision making closer to Scottish communities and to make our politics more representative and responsive. Unfortunately, between the incompetence of the two Labour-Lib Dem Administrations and the deliberate actions of the now three SNP Administrations, Scotland has suffered only centralisation, power hoarding in Edinburgh and central belt bias in decision making, with Aberdeenshire and the north-east—forever Scotland’s cash cow—taxed more than any other part of the country and forever being short-changed.

Reading The Press and Journal this morning, I noticed that Aberdeen Council was being forced to double the cost of renting town hall premises in Stonehaven and Banchory due to a cut in grant funding from the Scottish Government. We should never forget that it was the SNP Government’s obsession with centralisation that led, disastrously, and despite many warnings, to the deeply flawed reorganisation of police services in Scotland, for which they found themselves liable for £35 million a year in VAT—a situation that was resolved only by the election to this House of 12 additional Scottish Conservatives.

Stewart Malcolm McDonald: We hear a lot about this centralisation issue. Why was it that, when the Scottish Government brought in the Community Empowerment (Scotland) Bill, the Scottish Conservative party abstained?
Andrew Bowie: I would have to look into that in more detail to find the exact reason why we abstained on that vote. I personally, of course, would have voted against it.

We know that the SNP Government created that situation with VAT in the full knowledge of what they were doing. They attempted to turn it into a grievance with Westminster, and then tried to use it to force a wedge between the nations of our United Kingdom. The Scottish National party is committed to the break-up of the UK. Every action it takes, every speech its members make and every policy from Bute House is weaponised and sent into battle for the express purpose of weakening the bonds between our nations and breaking apart the most successful economic and political union in the world. It puts ideological and constitutional obsessions over the good of the Scottish people, and it always will.

I personally am proud to be British. I am proud of what this country has done in the past, and sure of what this united, global Britain will do in the future. I hope beyond hope that in 2021 the Scottish people will get the Government they deserve—a transformative Conservative Administration in Holyrood, delivering real, fair devolution to the people of Scotland and working alongside a Conservative Government in Westminster governing and legislating for the whole UK—working together in the national interest and strengthening our Union. Only then, as the hon. Member for Glasgow North (Patrick Grady) likes to say, will we truly be in the early days of a better nation.

8.19 pm

Sammy Wilson (East Antrim) (DUP): I thank the hon. Members for Glasgow North (Patrick Grady) and for Kirkcaldy and Cowdenbeath (Lesley Laird) for their sartorial support for this debate, with the former’s Union Jack dress and the latter’s dress with a flower of the Union in Northern Ireland—the orange lily—displayed so prominently. In fact, I was thinking of pairing them—

Jim Shannon (Strangford) (DUP): With the tie of the hon. Member for Edinburgh East (Tommy Sheppard)?

Sammy Wilson: An orange tie. They would blend in well at that great celebration of Unionism in Northern Ireland on 12 July.

The hon. Member for Perth and North Perthshire (Pete Wishart) has challenged and mocked this as an irrelevant debate that has just been thrown in at the end of the parliamentary term, but this is an extremely important debate for the people of the United Kingdom.

Speaking from a Northern Ireland perspective, I know that the Union is not just academic or some kind of constitutional thing. People in Northern Ireland died fighting against a terrorist campaign to ensure that we stayed within the Union. This debate is important, because it is important that people right across the United Kingdom understand the value that they personally, their countries and their regions obtain from being part of the United Kingdom.

There are, of course, the economic benefits of being part of a country that is the fifth largest economic power in the world, which means that people in Northern Ireland have access to the internal market. Some 66% of the goods we produce in Northern Ireland find their way into the market of the rest of the United Kingdom, sustaining hundreds of thousands of jobs.

I mentioned in an intervention the fiscal transfers within the United Kingdom that ensure that the parts that require them, because of either geographic disadvantage, historical disadvantage or the changing structure of their economy, receive the money to sustain their economies. Some might argue that the transfers are not enough, but the fact is that we benefit from being part of a large economic unit. Of course, we also benefit from the protection of the security umbrella that the United Kingdom affords to us. Again, we benefit from the United Kingdom being a major international military power. As independent nations, none of us could ever sustain those things. In Northern Ireland, of course, we benefited within our own territory when we had the support of the military in defeating the terrorist campaign we experienced for 40 years.

There is also British soft power, with the connections that a country the size of ours has across the world. I could go into a lot of examples, but just recently the jobs of 6,000 workers at Bombardier in Northern Ireland were sustained because of the connections that this country’s Ministers have with Boeing and with the United States Government. They could make the case for protecting those jobs and for ensuring that Bombardier was not closed out of US markets.

I am sure my hon. Friend the Member for Strangford (Jim Shannon) will mention all the historical connections, such as in the names of towns. Londonderry, of course, owes its importance and its prosperity to the merchants from London who went there, invested in and improved that part of Northern Ireland. Newtownards in his constituency is a new town formed by those who came to settle there and develop the economy.

The Union is important to all of us, and I have given examples from Northern Ireland. Of course, the Union is always under attack from nationalist elements, and we have heard that here today. All countries, all relationships, go through difficult times, and it is easy to say, “Ah, but if we were in a different kind of relationship, it would be better.” The grass is always greener somewhere in the distance, and we have heard a lot of examples today—“If we were not part of the United Kingdom, we wouldn’t have to suffer this and we wouldn’t have to experience that,” but, as I have said, as independent countries we would face all those problems without the support of the bigger Union.

The most recent example has been Brexit. Nationalists in Northern Ireland have used Brexit to try to drive a wedge between Northern Ireland and the rest of the United Kingdom. Despite all the nationalists’ arguments about Brexit, the surprising thing is that the latest poll by UK in a Changing Europe, which is not sympathetic to the Brexit cause—indeed, I do not think it is sympathetic to the Union—found that, even with all the propaganda that has been spread, only 21% of people in Northern Ireland would vote to leave the United Kingdom.

I do not accept the argument made earlier that Brexit means dividing Northern Ireland from the Irish Republic, which is not our main market anyway. Indeed, only last week, the EU and the Irish Government confirmed—indeed, they boasted about it—that, even if we were changing a deal, no infrastructure would be placed along the Irish border. That is not me saying it, it is not a Brexiteer saying it, and it is not a partisan person saying it; this is the
EU negotiators, who had been telling us that the border was an insurmountable problem. Suddenly it is not when they want to give reassurance.

I will quickly make a few points on what can be done to strengthen the Union, because I want to keep to the 10-minute limit. First, we have to make sure that there is a fair deal for all parts of the United Kingdom. I criticise this Government too, but Labour Governments and Conservative Governments have both fallen into the same trap, with policies often tending to be London-centric or south-east of England-centric, without considering the impact of tax and trade policies, for example, on regions. In Northern Ireland, we are sitting with a land boundary with a country that has done away with air passenger duty and reduced VAT on hospitality and the tourism industry, skewing the market. Again, when devising policies on a national basis, it is important that we consider their local impact.

Secondly, we have to celebrate important events around the Union, and there will be an opportunity in the near future, when Northern Ireland comes to its centenary in 2021, to celebrate the fact that Northern Ireland is part of the United Kingdom. I hope they will be not just Northern Ireland celebrations but national celebrations. We recently had the celebrations of the 100th anniversary of the RAF; which gave a reminder of its importance to the nation in a colourful and dramatic display. Those kinds of things can be unifying to a nation.

Thirdly, recognition has to be given to the fact that there are devolved Administrations. Although they cannot override national policies, proper consultation should be undertaken and proper cognisance given to the views of devolved Administrations.

Lastly, it is important that the Government are not seen to be centralised here in London, which means that we need to spread out the administrative arrangements and administrative facilities across the UK, so that we know we are part of one nation and we can be proud of that and of our long history. Everybody across the UK needs to be aware of the sacrifices we share, as well as the benefits, so that they become supportive of the Union.

8.29 pm

David Morris (Morecambe and Lunesdale) (Con): I am going to do something that breaks with convention in this debate—I am going to say something positive about what is going on. I am not going to get into arguments about different areas of the UK, what is going wrong and who could be doing things better than the others. Let us just pause and look at exactly where we are at this moment in time.

I have to make a declaration: apparently, I am the only Parliamentary Private Secretary in history to have been PPS to the Secretaries of State for Wales, Scotland and Northern Ireland. Even I did not know that when it happened.

Mr Deputy Speaker (Sir Lindsay Hoyle): And Lancashire!

David Morris: And Lancashire, and quite right, too, Mr Deputy Speaker; one great Lancastrian speaks to another.

So what have we done to make things even? Well, we have English votes for English laws, which went a long way to try to even out the big question—the West Lothian question. [Interruption.] I did. When we did that, we looked into the Barnett formula and idiosyncrasies that went with it. The Government have put £1.2 billion into Wales, boosting the Barnett formula by 5%, so for about every £100 spent in Wales about £120 is actually coming back into Wales. This has gone a long way to evening out the equilibrium of the economies.

If we think about that, we see that putting an extra 5% into the Barnett formula works out at £67 million over the next five years, which has to be welcomed. This has put Wales in a very positive position in terms of the Brexit problem of leaving the EU. The Government are extending to mid-Wales a growth deal similar to the city deal in Cardiff. That city deal is £615 million, which has been more money put into Wales than any other Government have ever done before. That has to be welcomed. If we are doing that in mid-Wales, imagine what is going to happen there. There is always a problem with transport in mid-Wales, but if we get the transport sorted out in that area, that will provide a boost—it is inevitable. If we get a spaceport there, which is something I will discuss when I get to the Scotland part of my speech, that will pay dividends for mid-Wales, because we have aerospace factories there—Airbus is there and just nearby. That is a huge contributor to that part of the economy in that area, so we must think of this in a positive way.

Turning to Scotland, I know I am probably going to upset the SNP, although I do not really want to do that because the whole tone of what I am trying to do is to be constructive. [Interruption.] I do not want to upset my own colleagues either, so please behave!

I have to make another declaration, as I am the chairman of the parliamentary space committee—there is such a thing. A lot of SNP Members are on it, along with a lot of Conservatives and a lot of Labour Members. The space industry is growing by 11% a year—it has done so year in, year out, all the way through the recession we have just been through. The industry is getting bigger and bigger. Within the next 10 years, space tourism will be a reality. Not so long ago, it was announced that we were going to be having horizontal take-offs from the south-west, but we are going to be having ballistic applications happening in Sutherland. What does that really mean? I do not want to stir up my SNP friends and make a political point, but if we have a spaceport in that area, that will change the economy; it will be a big game changer and a huge infrastructure programme. Although I really want you to stay with us, another problem we would have if Scotland did go independent is that it would contravene the ITAR—International Traffic in Arms Regulations—agreement. The Americans would not accept anything ballistic we put up there, so we would not be able to send satellites up from there or they would not put satellites up from that area. [Interruption.] That is true. If Members would like to look into it, they will find that is a valid point.

Stewart Malcolm McDonald: I do not dispute whether or not what the hon. Gentleman is saying is correct, but that is just a ridiculous reason to ask people not to vote for Scottish independence—it is madness.
David Morris: I thank the hon. Gentleman for that interjection. You are right: it has nothing to do with that; it is to do with trade. But I want you to stay with us. I do not want Scotland to go. As has been said, your rhetoric of leaving—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. This is not about private chats. You have to speak through the Chair. I know there is great temptation among Members on both sides of the House to have a private debate, but the rest of us need to hear it and be part of it.

David Morris: I apologise, Mr Deputy Speaker. I am speaking collegiately.

Looking at where we are going to go with this, we must think of the opportunities that will be afforded to us if we all stay together. We are talking about investment of £2.5 million in an area that is crying out for it, and an estimated injection of £4 billion over the next five years. That cannot be bad.

When I was in the Northern Ireland Office with my hon. Friend the Minister, we had to set a budget. I hope that we will soon be back to having a full, devolved, operating Government there again—I would love to see that—but £410 million has been put into Northern Ireland, with £80 million for health and education, £30 million to support mental health, and £100 million for ongoing health matters.

We have to look after all parts of the UK, which is why it is imperative that the Union survives—from the top end in Scotland, to Northern Ireland, Wales and England. We are all one people and we should reflect that in our politics.

I do not agree with the SNP, but I do respect its policies, which are about leaving the rest of the UK. I do not want that to happen; I respect and understand that position, but I do not agree with it. As has been said, there is an anomaly in that the SNP wants Scotland to have its own sovereignty while remaining in the EU.

There is a paradox there, because it is not possible to have sovereignty and give it away to Europe at the same time.

On that note, I will just say that we are all better and stronger together. I hope that toned things down a little—I am sure it did—but please just think about that.

8.37 pm

Martin Whitfield (East Lothian) (Lab): It is a pleasure to follow the hon. Member for Morecambe and Lunesdale (David Morris), who has perhaps taught us that the Union is more complicated than rocket science.

What is our Union based on? Is it based on history, reality, identity, economics, cultural friendship or kinship—or is it based on all of those? It is more than the Acts of Union of 1536 and 1707, which led to the creation of the Union as we know it. It is all that and more. More importantly, our Union is not fixed. It has matured, developed and deepened. It has facilitated change and been subject to change. It is still not fixed now. It is still open to development, and devolution is possibly the most relevant example. The Union is not a cul-de-sac out of which we need to reverse: it is a highway on which we travel when we support, aid and seek aid from those we support across the Union.

I want to pick up on the question of identity, which my hon. Friend the Member for Midlothian (Danielle Rowley) raised, and how it feeds into and fuels the concept of the Union. Individuals’ relationships with the Union and the Union itself lie at either end of the concept, and the identity that individuals feel feeds into that concept.

Identity can be both objective and subjective. As an objective concept, it is, sadly, becoming increasingly based on a pure geographical location sitting at the heart of the identity—small-minded nationalism. Increasingly we see that geographical nationalism is based on a foundation of exceptionalism. There is also, however, a subjective assessment of identity—namely, how a person feels to themselves. People may remember writing in their school books all those years ago, starting with their street, then their town and then their region and country. In my case, I would then put, “Europe, the world and the universe”. That is childish fun, but within it sits a strength of identity driven not by geographical location, but by the association we feel for others, be they close by or far away.

I love it that in Scotland people are identified and judged not by their jobs or by their educational achievements, but by the person that they have become. From that comes an acceptance that someone may have an opinion. One may disagree with that opinion and argue against it, but the discussion that can take place strengthens the value of that relationship and the knowledge that we all have. Brexit has shown us that if we take the relative simplicity of economics—should I joke?—we will see that there is an interconnection between countries that make up a union. Such interconnections are complex, intertwined, co-relational and much like that Gordian knot—a problem some see answered by a simple slicing through, although that answer is far too simplistic for such a complex problem. A separation once made cannot be remade.

The strength of our Union is that it allows for all these different identities and more. It is stronger because identification is fluid. It is stronger because we share and mix answers, ideas and solutions. It is stronger because, even though the current Union is not fixed, it is a vehicle that allows for growth, development and change. The power to empower our communities by passing down powers to the level that they can work at best by people answerable to those the decision affects and linked to the funding of those decisions is important.

As Einstein said:

“Nationalism is an infantile disease. It is the measles of mankind.”

However, nationalism with a small “n” allows us to celebrate and to promote cultural difference. It can inform, educate and rightly be something to take pride in. I am not talking about the simple aggressive nationalism that penetrates our contemporary politics. When unchecked or when used to dominate, this malign form of nationalism has historically been shown to be catastrophic. No one should be cowed into dissociating themselves from their background.

Devolution exists as a constitutional bridge between Scottish and British backgrounds. Culturally, Scotland has always had a different education system. It has had different norms in its legal system and alternative ways of approaching politics. In the 1970s, JP Mackintosh asserted that it was these cultural and national differences
that spurred the need for a different way of governing Scotland. Like Donald Dewar, I do not believe that our current devolution settlement would be possible without the work of the East Lothian and North Berwick MP, JP Mackintosh. I wish briefly to mention an early-day motion that I tabled this month, which recognises the contribution that John Pitscairn Mackintosh made in this place, in this debating Chamber and on this issue. A week today, on 30 July, we will mark 40 years since John’s untimely death. He was a fierce debater, a strong proponent of European integration, a constitutional reformist and, of course, a man who fought tooth and nail, even within the Labour party, to deliver devolution to Scotland. He was an incredible constituency MP. Along with Gerald O’Brien, he brought astuteness, tact and organisational strength to Prestonpans and East Lothian Labour party. Mackintosh’s most notable expression, now fittingly placed at the entrance to the Donald Dewar Room, acknowledges that “the people in Scotland want a degree of government for themselves...and it is not beyond the wit of man to devise the institutions to meet those demands.” Critically, Mackintosh believed that these demands would strengthen, not weaken, the unity of the United Kingdom. A strong Union sits well within Mackintosh’s conception of devolution as he advocated for a co-existence of national considerations—the ability to identify as British and as Scottish. He rightly argued that the people of Scotland do not want the trappings of independent statehood, or any reversion away from self-governance. It was this third way that was backed by Scotland and by East Lothian by a clear margin in both 1997 and in 2014.

While debating the Scotland and Wales Bill in 1976, Mackintosh developed an image of devolution that sits remarkably close to our contemporary system, but the Bill itself, which he did support, was still not radical enough for him. The reserved powers still left the Secretary of State as a governor of Scotland rather than the person watching over it as it governed itself. That point was forcefully made by Mackintosh. He argued for extra taxation powers, which were eventually brought forward 40 years later through the Scotland Act 2016.

This is a union state that is made stronger by the diversity of its various parts—the contributions from Wales, Scotland, Birmingham, Cornwall, Glasgow, Cardiff, Aberdeen and even Newcastle. The UK is at its best when there is a full contribution and expression from all the different identities, with common links and experiences. It is a Union, not a unitary state. Much has been said about the challenges of the British national identity and the risk to the Union, but that fails to see the strength that lies in a subjective, fluid identity. The strength of the Union lies in its fluid nature, which hughes the diversity of its parts, rather than smothering the imagination and dynamism of its individuals. The challenge is to re-empower those communities by giving back the ability to flourish and prosper; to draw on other parts, resources and talents; and to support those other parts so that together we can create a Union that truly is a tapestry of strength.

Stephen Kerr (Stirling) (Con): I rise to defend and advance the cause of the Union: the most successful political and economic union between nations in the history of the world; a union that, as a force for good, built the modern world that we live in; the Union between Scotland, England, Wales and Northern Ireland; our precious United Kingdom. I remind the House that Adam Smith described the Union from the perspective of Scotland as “a measure from which infinite good has been derived to this country.” Amen to that.

The Union defines who I am, with a Scots father and an English mother. Three of my four children have married spouses from Northern Ireland and England. More generally, our Union is also a matter of family. We are a family of nations. For me, the Union has always been a much deeper issue than economics or other additions of numbers. It is, in fact, a matter of the heart. The Union between Scotland and the rest of the United Kingdom has together defeated fascism, seen out communism and helped to shape today’s modern world. It is a bulwark of democracy and freedom that uses its wealth for good to help some of the poorest people around the world.

As I said, the Union is a family. The English, Welsh and those from Northern Ireland are our cousins, nieces, nephews, wives and husbands. In my case, they are my mother, my son-in-law, my daughters-in-law and my grandchildren. We should not cast aside this social union for the sake of some backward-looking nationalist instinct. We must always call out nationalism for what it is. Wherever it is in the world, it has created havoc and destruction by creating divisions between people. It is a deeply unpleasant and unattractive ideology.

The nationalists try to portray themselves as civic and joyous, inclusive and accepting, but it is all wearing rather thin now. The “All Under One Banner” march took place in my constituency a few weeks ago. At the heart of the march was a huge banner that read, “Tory scum out.” The march was a display of political intolerance. I urge all those who say that they were on with the march but did not agree with the “Tory scum out” banner or the “F the Tories” mugs that were on sale to note the name of the rally, which was “All Under One Banner”. That banner is barely disguised political bigotry. That is what my constituents in Stirling saw and that is how they judged it.

Stewart Malcolm McDonald: I just say to the hon. Gentleman that he is many things; a piece of scum is not one of them. I would deprecate that banner and, as I am sure he knows, the decent majority also deprecates that banner. The sooner that it is caught, melted down, recycled or whatever, the better.

Stephen Kerr: The hon. Gentleman is indeed honourable, because he has been the very first on social media to condemn the antics of the extreme elements of the nationalist movement that these events sadly attract, as we know only too well. I will not relate anything further to do with my social media timelines because, as the hon. Gentleman knows, it is not the kind of place for us to spend any time if we want to keep our sanity.
It is time for us Unionists to engage with and defend the Union against this kind of onslaught. It is time for us to seek a future that will combat nationalism and constantly rejuvenate the Union so that it will endure. I say this particularly for the benefit of my English and Welsh colleagues in the Chamber, who perhaps do not really appreciate the nature of Scottish nationalism on the ground as we encounter it as Scottish Conservative Members of Parliament. We do not expect co-operation or partnering from nationalism. We do not expect there to be some agreement—some middle ground. The aim of the nationalists is disruption, division and manufactured grievance, not unity: they are not interested in that because it does not serve their party political objectives.

Divergence is a very important part of what we get from devolution. I have absolutely no issue with that. I believe passionately in local democracy, and the divergence that comes through local democracy, but I do not hold with divergence for the sake of it. Of course we need locally tailored policy solutions to meet local conditions, but divergence that gives the Union strength is when it is for a good reason. We have a Scottish legal system that is tailored to our country. We have an education system that is tailored to our country: it is ours. All these things provide the strength whereby Scotland can have solutions for its own systems, its unique history, and the needs of its people.

But in some areas, divergence is pointless—for example, having a separate card for public transport in England and in Scotland, coming up with two different systems for deposit returns, or dismantling the British Transport police simply because it has “British” in its name. This is merely nationalist ideology that we have to be strong in standing up against. These differences are not about public policy necessities—they are about pulling Scotland apart from the rest of the United Kingdom to become separate. The nationalists want to use divergence to create division. They want to make the Union dysfunctional. I want the Union to work better. My hon. Friend the Minister will therefore not be surprised to hear that I will persist in my argument for a stronger and more functional Union that serves all the people and all parts of the United Kingdom.

My constituents in Stirling pay their taxes, and now, in many cases, they pay significantly more tax than any other part of the United Kingdom. They pay their share of the cost of Whitehall Departments. They get the same protection from the armed forces. They get the same help and support abroad when they visit a consulate or an embassy. But when it comes to some of the other Union Departments, the support becomes less clear. We should make that clear by renaming Ministries and Departments that serve England only as such—for example, “the Department for Health and Social Care for England”. Ministries serving the whole of the United Kingdom should, as a matter of course, be asking what policy implications there are for Scotland, for Wales, for Northern Ireland and for the regions of England.

I am afraid that there is a concept that is endemic in government in this respect. It is not specific to this Government but to all previous Governments since the devolution settlement, and it is, “Devolve and forget.” That phrase plagues Government and must be guarded against. The UK Government are as much the UK Government in Edinburgh as they are in Chester. Part of the issue is that UK Government Departments operate through the prism of their territorial offices. The propensity for UK Departments to dump issues into the laps of the Scotland, Wales and Northern Ireland Offices is very high.

UK Departments also far too easily think about devolving further to the Scottish Parliament, as almost an automatic reaction. Sometimes that is appropriate and right, but at other times, frankly, it leads to problems and unnecessary confusion. I would take as an example the broadband issue that plagues us in Scotland.

Stewart Malcolm McDonald: What exactly have UK Departments rushed to devolve that they should not have devolved? [Interruption.]

Stephen Kerr: Well, the British Transport police, as my hon. Friend the Member for Ochil and South Perthshire (Luke Graham) rightly says, is the example that immediately springs to mind. The delivery of broadband is another example, as I said. We should never have devolved the delivery of broadband to the Scottish Government. They were given the responsibility of delivering broadband in Scotland by Broadband Delivery UK, and the result is mayhem. We are so far behind other parts of the United Kingdom on the delivery of broadband because we allowed the Scottish Government to get involved in the first place. We can see the problems with the situation that has arisen, which makes it unclear who is responsible. Broadband is a good example of this. When anything good happens in Scotland, Scottish Government Ministers will turn up and get their photographs taken, but when anything goes wrong in Scotland, it is suddenly all reserved—they point at us and say, “Oh, it’s reserved; you should deal with it.” These kinds of games go on all the time. It is insidious and makes it all the easier for the nationalists, in that space of confusion, with their ideology of grievance and division, to do just that. We must avoid that by improving our system and machinery of governance.

Now—one minute! [Laughter] I have one minute. The best bit’s to come. UK Government Departments should be unafraid to fly their colours in Scotland, to proudly hoist the Union flag above their offices every single day of the year, not just on the Queen’s birthday, and to tell the people of Scotland, loudly and proudly, that their United Kingdom Government is serving them. It would show people clearly that Scotland has two Governments and that both are working to deliver vital public services to them, even if they need to work more closely together.

It may seem somewhat controversial, but this debate about the intergovernmental relations in the UK will continue until we address the machinery we need to make the Governments of this country work more closely together. Ironically, I turn to the White Paper on the future relationship between the United Kingdom and the European Union. I got as far as chapter 4, where I read details about how the different Governments, Departments and Parliaments could work together for the benefit of the people. With no small sense of irony, I advise the Government to read chapter 4 on page 84—many people have never got to page 84, I am sure, but I did. It talks about how arrangements could be put in place by which Governments could work together. It is a very interesting chapter. I refer in particular to
paragraph 2. The institutional arrangements it proposes are practical and flexible and would create a dialogue and mechanisms for resolving disputes and the accountability and mutual constructive tension necessary for us to get the best government possible for the people of our country.

I will conclude.

**Ian Murray:** Hear, hear!

**Stephen Kerr:** I am grateful for the support for that statement, if for nothing else I have said. It is understandable in Scotland, where the political climate can sometimes be quite poisonous, for people to feel intimidated and harassed, rather than to engage in debate. Much is said and done under the guise of robust debate that falls squarely into the category of bullying, so fear is understandable, but I call upon Her Majesty’s Government not to flinch. They must face up to that culture firmly and fairly. I believe they shall. They should be proud and loud about their activities in Scotland. We should not submit to the bullying and provocations of the nationalists. We should not surrender our country. Under no circumstances would that bring about a flourishing Union that can be a boon to the peoples of this country for generations to come, which is what we need now more than ever before.

8.58 pm

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): It is a pleasure to contribute to what has so far been a somewhat enlightening debate.

The starting point of my analysis in this debate, as a democratic socialist, is: what structures of governance are best situated to deliver maximum economic benefit to working people in delivering the highest possible quality of life and public services and amenities to serve their interests? That underpins my thinking. When I think of the benefits of the Union, I think back to my own grandparents and my grandfather fighting with the Royal Artillery, making common cause with people from across the United Kingdom to defeat fascism in Europe.

That common cause transcended into the spirit of 1945 and that 1945 election, which delivered the first majority Labour Government, who fundamentally transformed this country, delivering the welfare state and the pillars that underpin modern civilisation in this country. That is why I never had any doubt about joining the Labour party at the age of 16. I knew that, although it might not have delivered only good, it had delivered everything that had been good in this country in the preceding 70 years. I had no doubt that every great societal achievement and all progress this country had achieved had been delivered by the solidarity of working people acting in the labour and trade union movement. I never had any doubt either that the United Kingdom served their interests when the British state was mobilised in their service. Indeed, when I look at Scotland today, I think of the benefits that we have achieved. If nothing else holds true, Scotland benefits every year from £9 billion that it would not otherwise have to invest in the provision of public services that ensure that quality of life for people in Scotland is better than it otherwise would be. That is equivalent to £1,470 per person in Scotland every year. For as long as that figure is correct, there can be no socialist analysis for unpicking and destroying a Union that delivers that economic and social benefit for the people of Scotland.

The SNP’s analysis is so awry when it comes to dealing with that reality that it has run away from the idea of full fiscal autonomy because the transfer is undisputable. Looking at its latest analysis in the so-called growth commission report, we see that it tries to unpick Scotland with other advanced economies. Speaking about the target of reducing the fiscal deficit in Scotland to under 3% of GDP within five to 10 years, Scottish Trends’ John McLaren says that “it clearly involves a tighter fiscal strategy over this period than is likely for the rest of the UK. The Office for Budget Responsibility (OBR), currently expects the UK to have a deficit equivalent to 2.3% of GDP in 2021-22 and falling, which should allow for an easing in public expenditure settlements over time. Meanwhile Scotland will be moving from a deficit equivalent to nearly 6% of GDP towards a 3% target. It doesn’t take a mathematical genius to work out the implications.”

As long as those implications may threaten the interests of working people in Scotland, I am opposed to the notion of separation and am committed to the idea of the Union.

The growth commission assumes that an independent Scotland would achieve a GDP per capita growth rate that is 0.7% greater than it would be if it remained in the UK. However, the justification for that figure is extremely tenuous, relying on territories or countries such as Hong Kong and Singapore in the comparison set, despite explicitly rejecting their low-tax, high-income-inequality economic models. Remove Hong Kong and Singapore from the comparable countries’ growth rate analysis and 0.7% becomes 0.26%. If that were the case, instead of the 25 years that the growth commission assumes that it would take to generate £9 billion of revenue to close the gap with the UK, it would take 67 years. However, £9 billion is of course less than the £10.3 billion effective fiscal transfer that Scotland received from the rest of the UK in 2016-17, which we would of course lose on day one of independence. To test that assumption further, if we look back at the independence White Paper, the equivalent figure used then was in fact only 0.12% per annum. On that basis, it would take over 140 years to close the gap with the UK. Why on earth would anyone vote for that?

If we look at the performance of the three countries that the growth commission explicitly cites as being those it seeks to learn in particular from—Denmark, Finland and New Zealand—then, using the growth commission’s own data source, the superior growth rate becomes an immaterial 0.06%. It is becoming apparent that the comparisons are utterly fanciful. On that basis it would take nearly 300 years to close the gap with the UK—the entire length of time that the United Kingdom has existed—which is utterly absurd and demonstrates that the growth commission is bereft of any intellectual rigour.

Then there is the albatross of the currency. In designing a currency regime or mechanism for an independent country, it is critical that the regime offers the country a credible means of adjusting disequilibria—deficits and surpluses—on its balance of payments. If it does not, it is doomed to fail in the absence of a risk-sharing agreement or transfer mechanism, and we have seen
that play out in Europe when Greece and Ireland suffered heavy internal devaluations and mega-austerity. That is an important lesson in the economic history of currency regimes. In thinking about the appropriate currency regime for an independent Scotland, it is crucial to have the adjustment question at the back of our mind at all times.

If Scotland were to become an independent country, it would become a net exporter of hydrocarbons. It is well known in currency economics that the crucial role of oil price changes in affecting the competitiveness of the non-oil sector must be addressed in designing a currency regime for a country with a diversified non-oil export sector and an oil sector. Otherwise, the non-oil sector gets crowded out, which has implications for jobs, output and the sustainability of the balance of payments and interest rates. It is the classic Dutch disease phenomenon. However, all the literature on the currency issue that has been generated since the referendum, including the Scottish Government’s growth commission report, does not even address that particular issue.

Regardless of the currency regime that an independent Scotland might choose, it would need a market-credible pool of foreign exchange reserves to run a currency regime. From the evidence of similar sized economies, that would amount to £40 billion, which is around one third of Scotland’s annual GDP and not a sum that a newly separate Scotland could borrow on international financial markets. The only way that such an amount could be accumulated is through running budgetary surpluses for a number of years, but an austerity programme would need to run in any case in order to establish the “hard currency” effect, so the reserve accumulation issue can be seen as reinforcing that effect.

The growth commission’s alternative to the 2014 White Paper’s formal currency union would be to adopt the pound, much as Panama adopts the dollar, Montenegro adopts the euro and so on. That is a currency substitution system, but such a system is viewed as inherently unstable by economists because it is subject to the whims of individuals’ expectations and the effects that these can have on demand for money, which can lead to changes in supply through the balance of payments. There would be no effective control over the money supply in Scotland and no lender of last resort function because changes in the current account of the balance of payments would directly affect the money supply in the Scottish economy. For example, a surplus on the current balance would increase the quantity of sterling in the economy, which would have inflationary implications. Conversely, a current account deficit would draw money out of the economy with deflationary implications.

To deal with such flows, a separate monetary authority would need to be set up to smooth those effects, but the evidence from similar-sized economies to Scotland, such as the Nordic countries, is that foreign exchange reserves of upwards of £40 billion are needed to achieve that. If the monetary authority were prepared to offer deposit insurance of £120 billion of retail deposit accounts in Scotland, it would need to accumulate foreign exchange reserves of £160 billion, which is greater than the entire Scottish GDP. Those are extraordinary figures.

Where would the money come from, given that the balance of payments of an independent Scotland would have a deficit of between 2% to 5% of GDP? It would need in the region of £6 billion to £7 billion just to cover those international obligations. The only way those sums could be achieved would be through a massive austerity programme. For context, the Scottish NHS budget every year is just £13 billion. We can wipe that out right away. The proposal is simply not a sustainable proposition that anyone of a socialist background could endorse.

All the points I have made focus purely on the monetary implications, but let us look at the competitiveness of the non-oil export sector with the effect of the oil price changes. That would massively impact on the competitiveness of the Scottish economy, entailing mass industrial closures of a scale we saw through the 1980s. Indeed, any alternative, such as a form of sterilisation with a currency board, would need the currency to be backed 100% by foreign exchange reserves, which again is an unsustainable position. Such systems require considerable amounts of foreign exchange—both cash and reserves—to back deposit accounts. The Hong Kong experience shows that £200 billion of reserves are required to run a currency board. Those massive sums of money in turn require policies of fiscal austerity, balance of payments surpluses and no lender of last resort function. Again, the loss of competitiveness issue would not be addressed in that set-up. It is simply not viable as a currency option unless the Scottish Government are intent on handing over large sums of Scottish taxpayers’ money to hedge funds and speculators.

Interrogating the Scottish growth commission’s proposals demonstrates that they cannot offer a socialist solution to separation. That is why the growth commission has achieved only one thing: it has demonstrated that the huge benefits we derive from being part of the fiscal, monetary and political union are as relevant and integral to quality of life in Scotland today as they have ever been. That is why we continue to argue as the socialist Labour party that we must marshal the forces of the British state to deliver the best quality of outcomes for the people of Scotland by utilising its fiscal and monetary powers to deliver world-class public services for the people of Scotland. We stand by that commitment today, as we did in 1945 when this party built the national health service and the welfare state.

9.7 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): It is interesting to follow the shadow Minister. He has been a Member of the House for a year and personally I get on with him incredibly well outside the Chamber, but he is a shadow Scotland Office Minister and, in the 10-minute speech he just gave on strengthening the Union, he did not put forward one single policy on how he sees the Union being strengthened. Instead, we were treated to a 10-minute anti-independence diatribe.

Mr Sweeney rose—

Stewart Malcolm McDonald: I will give way to the hon. Gentleman shortly, but I want to get into the crux of what I am going to say first. I will be generous to the Minister who will be summing up, the Under-Secretary of State for Defence, the hon. Member for Pudsey (Stuart Andrew). I congratulate him on his appointment to the defence procurement portfolio. He has been a kind and honourable Member in the time I have been here and, as my party’s defence spokesperson, I certainly
wish him well. However, I am afraid to say that the opening speech by the Minister for the constitution, the hon. Member for Norwich North (Chloe Smith), was something else. I do not think I have heard a speech delivered through such rose-tinted, “Land of Hope and Glory” lenses, despite several Members being strong in the running to beat her on that. It shows such an incredible lack of self-awareness to bring forward a debate on strengthening the Union the day before the UK Government take the Scottish Parliament to the UK Supreme Court. But a lack of self-awareness is only one of the things that plagues politics in this place. I will come back to the others later, but I said I would give way to the hon. Gentleman.

Mr Sweeney: I thank my fellow Glasgow Member for giving way. I have to put to him that the fundamental ethos of my argument was based on the idea that the British state can marshal far greater fiscal and monetary benefits for the quality of life of the people of Scotland. That underpins what I was arguing for, in the spirit of 1945. Does he agree that that is a fair analysis?

Stewart Malcolm McDonald: I agree that the hon. Gentleman believes that to be the case. I am afraid I do not believe that to be the case. Like him, I see too many injustices delivered by the British state through the welfare system, the rapeseed clause and the provisions that affect the WASPI women—I am sure he meets many of them in his constituency—so I do not buy his argument. I just think it is a shame he has become so convinced by it.

Luke Graham: Will the hon. Gentleman give way?

Stewart Malcolm McDonald: No, I will not give way because I want to make some progress.

I want to quote a former Glasgow Member—the Independent Labour party Member of Parliament for Glasgow Bridgeton—the late, great Jimmy Maxton, who was born in Pollokshaws in my constituency. In a speech, he said:

“I believe we can achieve more for the Scottish people within five years in a Scottish Parliament than in 25 or 30 years of heartbreaking struggle in the British House of Commons”.

If only some of that thought would plague Labour Members, rather than the thoughts that plague them right now. Is it any wonder that Winston Churchill described Maxton as possibly the greatest parliamentarian of his day? I believe that that quote from Maxton is the bar against which we should measure the progress of Scotland’s Parliament.

Is it any wonder that Sir George Reid, with the tremendous foresight for which he became famous, used that quote in his maiden speech in this House on 15 March 1974? That was five years before Maxton’s nephew entered the House as the Member of Parliament for Glasgow Cathcart, which has now become my constituency of Glasgow South. I understand that Maxton’s nephew now takes his seat in the other place.

As I was reading that earlier, I was interrupted by the hon. Member for Ochil and South Perthshire (Luke Graham), who now occupies that seat. In that speech, Sir George Reid quoted the slogan of Clackmannanshire, which we have discussed. At the time, the slogan was “Look about ye”, but it was changed in 2007. I forget what it was changed to, but I know it is not as good. “Look about ye” means “Look around you, and face the facts”. Surely we could do with following that old Clackmannanshire slogan as we debate strengthening the Union—in fact, as we debate anything—in this House.

Luke Graham: Will the hon. Gentleman give way?

Stewart Malcolm McDonald: How can I say no after quoting the hon. Gentleman’s constituency slogan?

Luke Graham: I thank the hon. Gentleman for quoting what used to be my constituency phrase of “Look about ye”. Should he not look about himself and realise that a majority in Clackmannanshire voted to remain in the United Kingdom? Should he not look about himself and accept the fact that Scotland wants to be in the United Kingdom, not out with the SNP?

Stewart Malcolm McDonald: I am willing to accept that entirely, but that does not mean I have to stop arguing for it. Indeed, it was the hon. Gentleman’s party leader in Scotland who said it was legitimate, and even honourable, for the Scottish National party to continue advocating Scotland’s independence, and that is what I intend to do. I hope to turn the hon. Gentleman’s constituency around. I note that he did not mention the result of the EU referendum in his own constituency.

The point that Sir George Reid was making then, and it applies now, is that facts change and people are entitled to move. I want to come back to the point he was making about the facts. We should be looking at that, rather than allowing ourselves to be plagued by the positioning in trenches that poisons our politics and breeds cynicism, which is the least healthy thing we can have in our politics. It was Mandela himself who noted that cynicism must be opposed at all times.

There is a real danger that we will go back to a poisonous period in this Chamber in 1945, when the first ever SNP Member of Parliament, Robert McIntyre, was elected. He won his seat in a by-election for Motherwell. It took him several days to take his Oath, because there were no two Members who would stand at the Bar of the House and allow him to approach the Table to do so. I do not want to see us return to that any time soon.

We are constantly being told that we are manufacturing grievances—indeed, the shadow Secretary of State said it earlier. I have much to be aggrieved about; I wish the shadow Secretary of State could be aggrieved about it with me. If that makes me a grievance monger, then frankly that is what my job here is to do. I am aggrieved by many of the things this Government do—some of which were adumbrated by my hon. Friend the Member for Glasgow Central (Alison Thewliss), who talked about drug consumption rooms and the awful immigration cases that all of us see coming through our constituency surgeries—and by the dreadful and quite regressive welfare measures that we see impacting on our constituents. You’d better believe it, I am aggrieved about many of those things.

Douglas Ross: The hon. Gentleman is right to point out grievances that he has with this Government. Is it not therefore fair for those of us on the Government Benches and Scottish Conservatives around Scotland to...
have grievances against his party, which has been in power in Scotland for 11 years? We have seen educational standards dropping, mergers of police and fire services, which many in rural constituencies are against, and a number of problems with our NHS services. We are entitled to raise those grievances, as is he to raise his, in this place.

Stewart Malcolm McDonald: The hon. Gentleman is in a unique position, as is the hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont), who is sitting on the Bench behind him. They left the Scottish Parliament to come to this Parliament, but even with that in mind—I add it purely for information—the hon. Member for Moray (Douglas Ross) is entirely entitled to raise any issue he wishes to, whether it is devolved or reserved. However, I come back to the point that he gave up a seat in a devolved legislature to come to this place to hold this Government accountable. He does a job for his constituents, and he is entirely right to do that.

I come to the tone in which we have these arguments. Some of the points that the hon. Member for Stirling (Stephen Kerr) raised earlier were uncomfortable to listen to. Indeed, it is uncomfortable to see anyone on my side of the constitutional question hold up a “Tory scum out” banner such as he mentioned, far less march behind it with any sense of pride. I do not think Tories are scum. I think a lot of their policies are terrible policies, and I will argue and fight against them at all times. Ultimately, I will argue for the ultimate salvation from which I believe to be Scottish independence, but we need to get better at disagreeing with one another.

Stephen Kerr: I again commend the hon. Gentleman for his spirited defence of democracy in this context, but why did the MSPs for Stirling and for Clackmannanshire and Dunblane not join him in condemning that banner when they were at the march behind it? It just does not make sense to me. This is where the disjunction occurs.

Stewart Malcolm McDonald: Perhaps I can help the hon. Gentleman. I know he believes what I am saying to be sincere. I do not believe that any of those individuals had their picture taken with the banner. Indeed, this was a march of many, many thousands of people. I only wish that more people had moved to get those responsible out—I understand that some did—and I certainly hope that they do not turn up again, but the hon. Gentleman will have to raise what individuals do with those individuals.

I see you getting anxious, Mr Deputy Speaker, so I will draw to a conclusion. Although the Union is clearly important to many people, not just in this House but right across the United Kingdom, I am afraid that this has been a very small subject for debate. Opposition parties regularly table debates on various hobby-horse issues. That is what Opposition parties do, but we are supposed to expect a bit more from the Government. At a time of such threats to international peace, international order and the rules-based system, which the Prime Minister regularly stands at the Dispatch Box and talks about, and indeed I regularly find myself in agreement with her; at a time when the right is on the rise in fundraising and organising and displacing moderate, centre-left or centre-ground people right across Europe; at a time when fascists and racists are no longer embarrassed to be fascists or racists and are shaking off those cloaks that we have made them wear for many decades—is this issue what the Government want to bring forward for debate? It really is a small subject.

I accept that the Union is important—of course it is important. I grew up in a heavily Unionist household. Indeed, my own father will watch this speech and quite possibly tell me I was talking a load of rubbish. I make no observation other than that, but I am afraid the world is bigger than Scotland and bigger than Britain, and it is a dangerous time out there. The Government have chosen to table this debate, which, frankly, is a university debating society issue at this moment in time. This is supposed to be a legislature. We are here to legislate and hold the Government accountable, and the Government have utterly shirked that in tabling this debate this evening.

9.20 pm

Jim Shannon (Strangford) (DUP): First, I thank the Government for bringing this matter to the House for consideration. I do not underestimate the importance of this debate and the importance of the Union, and I will speak along those lines.

I am well known for my love of a good quote. I know no other person alive whom I honour and respect more than the person who issued this quote, Her Majesty Queen Elizabeth II. She said:

“I know of no single formula for success, but over the years I have observed some attributes of leadership are universal and are often about finding ways of encouraging people to combine their efforts, their talents, their insights, their enthusiasm and their inspiration to work together.”

That is Her Majesty the Queen telling us in this House what we should be doing. I think those are inspirational words for us all. It is important that the parties whose Members have contributed today—the Conservative party, the Labour party, the Scottish National party and ourselves, the Democratic Unionist party—have come together to debate the issue. It is good to have all the talents of those parties coming together, even if there may be a wee bit of an exchange now and again. Even the Liberal Democrats, who unfortunately are not here to contribute to the debate, make a valuable contribution to debates in this House.

We are called to be leaders of this nation, and to encourage people to combine efforts, talents and enthusiasm and work together. I look around this Chamber at my fellow Members and sometimes I am slightly in awe of the ability, intelligence and personalities at play. But I have also become frustrated when I have seen that instead of working together through difficulties and through different opinions to provide our best and strongest foot through negotiations, we have sometimes shown a fractured relationship and from that we have shown weakness.

Several hon. Members mentioned sport. We all have our own countries, our own football teams and regions. But whenever England were playing in the World cup, the flags were out all across all of Northern Ireland—I have to say not necessarily for the England football team, as it was around the 12 July time of the year. I tell you what, though, there was not a household that I was aware of that was not supporting England, just as I was. There was the biggest cheer whenever we got through. My prediction was the quarter-finals. We got to the semi-finals, and that was good. Was I the only person
who was cheering for England? No, I was not. All the regions were doing so. Whenever teams are playing in Europe, am I the only person who looks through the teams from England, Scotland, Wales and Northern Ireland and cheers them on, whoever they may be, and hopes they do well? In Northern Ireland, we play opposition who are clearly above our level, but that is by the way.

I believe that Europe would be astounded if it came across the full force of the United Kingdom and if we could come to terms with the legally binding referendum vote and be determined to do what is best for all the people in the country who democratically cast their vote or exercised their right to abstain from voting. If we were determined to do what we are elected to do—carrying out the democratic will of the people instead of taking any opportunity to score a political point at the expense of the strength of the UK—I believe we would display our strength instead of our weakness. A house that is divided against itself cannot stand, as the Scripture says. That certainly applies to us all.

I declare an interest as someone who served in the armed forces for 14 and a half years as a part-time soldier in the Ulster Defence Regiment in an anti-terrorist role in Northern Ireland, and for 11 and a half years as a territorial when the iron curtain was still up and strong. What a joy it was to serve alongside people from different parts of the United Kingdom in the one uniform doing what we did together in one Army. In the skies it was the RAF and on the seas it was the Royal Navy. The Irish Guard and the Royal Irish Regiment consist of people from across all the regions of the United Kingdom. That is important for English regiments as well.

It is also great to see the exchange of exports and imports across the United Kingdom, and Northern Ireland in particular. We have a very strong agri-sector, including in my constituency. It is Northern Ireland and Strangford that feed the nations—I say that with respect, Mr Deputy Speaker; I know you will have your own thoughts. We in Northern Ireland export to Scotland, Wales and England and across the whole world, and the Ulster fry is renowned for its quality and taste. I had a full English breakfast this morning, and I tell you something: a full English will never match an Ulster fry—I say that to all Englishmen and women who are here today.

I recently spoke about the Scotland-Northern Ireland ties that go back through our history and the current economic ties, and they are only enhanced when we realise how strong we are together. For two islands to be able to be the global force that we are can only be because of the different strengths that each region brings to the table—the different talents, abilities and natural strengths that we each possess—which, added together, produce this wonderful United Kingdom of Great Britain and Northern Ireland.

There is no doubt in my mind that for Northern Ireland to be segregated from Great Britain in any way would be catastrophic. We simply could not do without our biggest trading partner, and we would not want to do without it either. A special status that would mean being annexed from the UK in all but name would be a back-door unification with Ireland, which would be unacceptable. I was never as glad to walk through the Division Lobby as I was last week to ensure that any backstop arrangement would now be considered illegal. We are one body and better off together.

Hon. Members will know that I read Scripture regularly. I want to speak about one particular Scripture text that comes to mind, and the message is very clear. It is from 1 Corinthians 12, verses 21 to 31. As we all know, when the four nations came together, they based their laws, rules and regulations on the Holy Bible and what it taught us. It is important that that is the base for where we are. The message of the Scripture text is:

“But I also want you to think about how this keeps your significance from getting blown up into self-importance. For no matter how significant you are, it is only because of what you are a part of.”

This is the story:

“An enormous eye or a gigantic hand wouldn’t be a body, but a monster. What we have is one body with many parts, each its proper size and in its proper place. No part is important on its own. Can you imagine Eye telling Hand, ‘Get lost; I don’t need you?’ Or, Head telling Foot, ‘You’re fired; your job has been phased out?’ As a matter of fact, in practice it works the other way—the ‘lower’ the part, the more basic, and therefore necessary. You can live without an eye, for instance, but not without a stomach. When it’s a part of your own body you are concerned with, it makes no difference whether the part is visible or clothed, higher or lower. You give it dignity and honour just as it is, without comparisons. If anything, you have more concern for the lower parts than the higher. If you had to choose, wouldn’t you prefer good digestion to full-bodied hair?”

in my case, that is quite clear, as one who has very little hair, but I would probably settle for a good digestive system before that. It is important that Members listen to this if possible:

“The way God designed our bodies is a model for understanding our lives together...every part dependent on every other part, the parts we mention and the parts we don’t, the parts we see and the parts we don’t. If one part hurts, every other part is involved in the hurt, and in the healing. If one part flourishing, every other part enters into the exuberance.

The thrust of that Scripture text and message is simple: we are better together. The body can only operate if all parts are operating together. I look to my friends in the Scottish National party—I call them my friends because they are—and say that as an Ulster Scot and one who has descended from the Stewarts of the lowlands of Scotland, I know my heritage and where I come from, and I appreciate the culture that we have, and that tradition, history and language. When my hon. Friend the Member for East Londonderry (Mr Campbell) sometimes says to me, “Can you understand the guys from Scotland?”, I say that “understand” is the very word. I have no bother with their accents. I can understand them all, because I see it as something that we are very much together on. We might not agree on all the politics, but we agree on many, many things. That is why I truly believe that we are better off together. When we look at English and Welsh history and names, we see that they intertwine. The four nations are clearly strong through their relationships. We are stronger when we are united in the face of those who wish to see us crumble. Whether it be Newtonswards in Strangford, Northern Ireland, Newton Stewart in Scotland, Newport in Wales or Newcastle in England, we are talking about four regions as one, together. There is no doubt that we work in our individual countries because we are part of a greater nation: a whole, together.
I implore every Member to consider this: the people have spoken. Whether or not we agree with that call, we have a duty to deliver the best that we can deliver, and we can succeed in doing that only from the position of strength that is found when we stand together.

I began with a quotation. Let me end with another. Edward Everett Hale said:

“Coming together is a beginning; keeping together is progress; working together is success.”

We are better together. Let us be successful by working together.

9.30 pm

Jo Platt (Leigh) (Lab/Co-op): It is an honour to wind up the debate on behalf of the Opposition. It has been an interesting debate, but, as a Lancashire lass, I have felt a bit left out. At times, the debate seemed to be about Scottish tit for tat rather than focusing on uniting the Union as a whole. However, I thank all Members for their contributions.

My hon. Friends the Members for Edinburgh South (Ian Murray), for Coatbridge, Chryston and Bellshill (Hugh Gaffney) and for Midlothian (Danielle Rowley) rightly highlighted the Government’s political choice of austerity and the impact that it has had on our Union. They were right to do so, because, instead of bringing communities together, the Government have overseen some of the most divisive and unequal times that anyone in the UK can remember. I thank my hon. Friend the Member for East Lothian (Martin Whitfield) for his thoughtful insight on devolution, and my hon. Friend the Member for Glasgow North East (Mr Sweeney) for his detailed and forensic analysis. I also thank all the Members who used the debate as a history lesson to settle old scores from the past 20 years of devolution. However, I want to focus my remarks on the motion of today and the Union of tomorrow.

What has become clear from all those speeches is a developing narrative—a narrative about passing responsibility away without passing the money or the powers. Quite simply, the Government have been passing the buck without passing the bucks. Devolution that is devoid of real power is meaningless, and is an insult to the communities that it was supposed to serve.

How did we arrive at this state of affairs? It can be traced back to the brutality of the austerity cuts that were introduced eight years ago. The Government knew that they could not weather the storm of the spending cuts that they wanted to implement across the UK, so in England they chose to heap responsibility and obligations on our local authorities, city regions and regional Mayors, while at the same time cutting their budgets and limiting their powers. They let everyone else take the blame for their cuts, and took no responsibility for their own brutal actions.

The Government have failed to entrust our devolved Assemblies and Parliaments with responsibility. Under cover of their self-made Brexit chaos, they are snatchings powers back to Whitehall rather than strengthening our devolved nations. They are preferring to kick the political football and yet again to put self-interest before the strength of the Union, thus wasting a historic opportunity to secure further devolution. The promise of meaningful devolution for our communities has been exposed as merely a masquerade for their regime of austerity and Westminster-centric power.

As an MP representing a northern town, I found that betrayal particularly stinging, because I know exactly how desperately devolution is needed. For too long our northern economies, our northern regions and our nation of the UK have been neglected. Power, resources and funding are tightly held by Whitehall, and communities across the country have little say in, influence over or even knowledge of the decisions affecting their daily lives. Some say that those towns and other areas have been “left behind”, too slow to respond to a rapidly changing country. I say that they have been held back—held back by a system that gives them no voice and no choice.

In my constituency, we have seen the gradual decline of our manufacturing base. The Beeching cuts of the 1960s disconnected our town from the rail network, and our economy experienced a total drying up of the infrastructure investment that is needed to attract business growth and create well-paid, secure jobs.

The answer from this Government to my own area, Greater Manchester, is to point to our two regional transport bodies, our combined authority and our new city Mayor. On the face of it, this is exactly what was needed, and we can imagine the hope communities such as Leigh were given: would this be the moment when power, resources and funding were handed back down to the local level? Unfortunately, however, the reality is far from the promise. Responsibility was gladly handed down, but the powers did not follow. The regional transport bodies that were created know exactly what is needed to meet transport demands and to attract investment and stimulate growth, but are without the powers to enact transformative plans. Our Mayor, Andy Burnham, is trying his hardest to tackle the local skills shortage, keep our communities safe and meet our housing needs, but is left without the ability to take a whole-system approach to these burning issues. Right across the country we have seen councils, mayors, local authorities and transport bodies left as the punching bag for local anger, but restrained by Westminster from taking any meaningful action.

On the Government’s pet project of the northern powerhouse, I have to tell them that the reality for those of us trying to make a difference on the ground is that it has felt more like the “northern powerless”, unable to take these important decisions on infrastructure, which are the foundations of inclusive growth. Subservient to Whitehall, the Government’s flagship policy is nothing but devolution in name only. As a result, communities across the UK have been left feeling completely disconnected from Whitehall and the people who make decisions on their behalf. The many no longer feel that their country is working for them.

Last year, the Government’s policies were exposed by a damning report from the Equality and Human Rights Commission, which stated that as a result of the 2010-17 austerity measures

“households with one or more disabled member will be significantly more adversely impacted than those with no disabled members.”

It also stated that

“ethnic minority households will be more adversely impacted than White households”,

and:

“Lone parents lose around 15% of their net income on average—almost £1 in every £6. By contrast, the losses for all other family groups are much smaller, from nothing to 8%. Women lose more than men from reforms at every income level.”
[Jo Platt]

Does that sound like we are all in this together? Whether it is town versus city, rich versus poor or remain versus leave, the divide-and-rule tactics the Government have used have left our country in a far less cohesive place than they found it.

So what should a strong Union look like? A strong United Kingdom is where opportunity is open to all and success is dependent not on background or wealth but on talent and resolve. A strong United Kingdom is where our different cultures and traditions are respected but come together as one, and where we appreciate and celebrate the differences and the unique qualities of our nations and our regions instead of using them as a source of division. A strong United Kingdom is where power lies with the many, and where communities are resourced and empowered to make meaningful decisions on their day-to-day lives, and where everyone—young and old, north and south, rich and poor—feels they have a stake in society.

We on this side of the House have that plan for meaningful devolution—a plan that builds on the successes of the previous Labour Government, and looks to meet the needs and aspirations of the nations and our regions; a plan that unites our communities and our country at a time when unity is needed more than ever.

That is why Labour has committed to a constitutional convention if elected. If we are truly to transform and strengthen our Union, we need to have that wider conversation about our Union settlement for the decades to come, and that cannot be done from Westminster. These decisions need to rise above the day-to-day politics of this place and be made by the people political reform will most affect.

Our aim in government will be to transform our politics so that we can finally transform our economy and society. The next Labour Government will extend democracy, bringing it closer to the many; break up the political influence of corporate power when it serves its own interests over those of society; acknowledge that local needs can be met only by local people with meaningful decision-making powers; and recognise that meaningful devolution needs the proper funding to follow, which is why we have also proposed a national investment bank that sits in the community, making local decisions on local infrastructure by local people.

Jo Platt: I will carry on, thank you.

No longer can Whitehall hold the purse strings, dictating from London investment decisions in our towns and villages. No one is better placed to assess the needs of a community than those living within it. Labour recognises this and would remedy it. Eight years of Tory rule have left our United Kingdom less united than ever before, and to understand this Government’s motives we need only look back at the last few weeks of mayhem. A crisis among the Conservatives has led to a divided party. They are warring among themselves at the expense of the country, but divide and rule is all they know; it has been typical of the last eight years. Week after week we are treated to the sight of self-serving politicians putting individual and party ambition before the needs of the country, and everyone has had enough.

In the midst of the most turbulent political time any of us can remember, it is now that the communities we serve need the leadership, the stability and the investment to reunite the United Kingdom. Labour has that plan—a plan to give power back to the many, to strengthen those powers with adequate resourcing and, most importantly, to be unafraid to entrust our local authorities, Mayors and devolved Assemblies with crucial decisions.

Stewart Malcolm McDonald: Will the hon. Lady give way?

Jo Platt: I am just about to finish.

We will transform the outdated political structures of this country, ensuring that they are fit to deliver Labour’s ambition to reverse decades of growing inequality and to achieve social justice. That plan is called “For the many, not the few”, and the next Labour Government will deliver it, finally bringing power back to where it belongs—in our communities.

The Parliamentary Under-Secretary of State for Defence (Stuart Andrew): It is a pleasure to reply to this debate, in what is my last act as a Wales Minister before I move on to the Ministry of Defence. I should like to take this opportunity to say what a great pleasure it has been to work with the Wales Office, and I want to pay tribute to the team, who have supported me brilliantly, and to the work that we have done with Members across the House and in Wales. I also want to pay tribute to the hon. Member for Leigh (Jo Platt). I know that this is her first time at the Dispatch Box. It is always nerve-racking, and I would like to say that it gets easier, but it does not.

This has been an important debate. Like many other people here today, I am a proud Unionist. I grew up in Anglesey, and I spent the first few years of my life in Llanfairpwllgwyngyllgogerychwyrndrobwllllantysiliogogogoch. I can see Hansard looking worried! My father and all his family come from Scotland—I have to confess that my great-grandfather was a proud trade unionist and acted in the Labour party—and my mother is from England, so I have seen the benefits of our great Union of Great Britain.

We have heard a range of interesting views today. As the Prime Minister has said, as we leave the EU and in the years ahead, we will strengthen the bonds that unite us. The people of the United Kingdom voted to leave the European Union, but we are not leaving Europe. We want a deep and special partnership with the EU. We will secure a deal that works for all parts of the United Kingdom and, at this momentous time, it is more important than ever that we face the future together, united by what makes us strong: the bonds that bring us together and our shared interest in the UK being an open, successful trading nation. It is imperative that, as the United Kingdom leaves the EU, all the Administrations of the UK benefit from a unified approach wherever possible. That is possible only through the strength of our relationships.

Our regular work with the devolved Administrations includes formal meetings of the Joint Ministerial Committee and ministerial forums, as well as programmes of work at official level. Alongside regular bilateral discussions, the Joint Ministerial Committee on EU negotiations
provides a forum in which the UK Government and the devolved Administrations can discuss the progress of the negotiations and the domestic issues arising from EU exit. Of course, we recognise that engagement cannot remain static and has to evolve with our requirements.

As has rightly been highlighted today, respect for devolution is key to the constitutional integrity of the Union. The UK Government are resolute in their commitment to the devolution settlements. Devolution is about working together to deliver for the whole UK, and we remain committed to giving the different nations of the UK the space they need to pursue different domestic policies while protecting and preserving the benefits of being part of a wider United Kingdom.

Patrick Grady: If all this is so important, and if respecting devolution is so important, can the Minister explain why, for the first time in history, this House and this Government have chosen to override the will of the Scottish Parliament by passing the EU (Withdrawal) Bill without a legislative consent memorandum?

Stuart Andrew: The hon. Gentleman will know full well that this Government engaged massively with both the Welsh Government and the Scottish Government, and we went a long way in listening to the views that were represented by both Governments. The Welsh Government, thankfully, recognise that the UK Government have come a long way and have produced a measure that is acceptable. It is a shame that the Scottish Government want to play politics.

A number of important elements of our Union have been discussed today, and I thank the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Norwich North (Chloe Smith) for highlighting in her opening speech the role of the armed forces in the Union. I take this opportunity to do the same, and it is clear that in my new position at the Ministry of Defence I will see, on a daily basis, the armed forces’ important contribution to ensuring the security of everyone in the UK.

As my hon. Friend also said, it is not just in defence that the Union has value. Our health services work together under the banner of the NHS—a banner that has turned 70 this year—meaning that whether a person is in England, Scotland, Wales or Northern Ireland, they can walk into a hospital anywhere and be treated with the care and dedication for which the service is known.

I will now address some of the points that have been raised today. The hon. Member for Kirkcaldy and Cowdenbeath (Lesley Laird), who led the Opposition, talked about youth unemployment. Well, I am proud that under this Government youth unemployment has come down 40% from the high level we inherited from her Government, and that employment in this country is at its highest level since the 1970s.

My hon. Friend the Member for North Herefordshire (Bill Wiggin) spoke up for his constituency. The thorny issue of potholes always seems to come up in politics, and I am glad he was able to raise it in this debate somehow. I hope his relationship with his local newspaper editor will improve as time goes by.

The hon. Member for Edinburgh East (Tommy Sheppard) said that he did not want to go into the detail of the independence referendum, and I wonder why. He gave us a long history, which was very interesting indeed, but he skirted over the issues that did not suit his own argument. On the issue of intergovernmental relations, the Government recognise that we need to review the structures and ensure they are fit for purpose, which is why my right hon. Friend the Prime Minister led the discussions at the JMC in March at which all Ministers agreed that officials will look at the arrangement and will involve the devolved Administrations as we pursue that future working relationship.

My hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti) was right to talk about the Northern Ireland Assembly and about the abolition of tolls on the Severn bridge. Many people cross our borders every day to go to work. I saw an interesting statistic the other day that, in the Wrexham authority, 40% of people who work actually go to work across the border, which shows how important the Union is to people who go to work every day.

The hon. Member for Edinburgh South (Ian Murray) was very critical of the Chequers agreement. I see the Chequers agreement as a pragmatic and sensible plan for our leaving the European Union. He also talked about the national health service, and I am proud this Government have committed to putting an extra £20 billion into it.

My hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (John Lamont) talked about the city deals. He rightly said that £1 billion has gone to Scotland so far through those deals, and more will be on its way. We are devolving more powers to many parts of England and Wales through similar deals.

The hon. Member for Perth and North Perthshire (Pete Wishart) talked about heckling, which seems a bit rich, as he certainly likes to heckle a bit. He was very doom and gloom about Brexit, painting a dark picture. I think I will just repeat some of his words back to him. At business questions last week, he said:

“There might be the occasional rhetorical flourish, an over-emphasis here and there perhaps, or even a bit of exaggeration”.—[Official Report, 19 July 2018; Vol. 645, c. 600.]

I will leave it there.

My hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) talked about his partnership with his wife for 40-plus years, so I congratulate him on that. He was right to point out that there is no such thing as a power grab here, as we will be giving more powers and those powers will be transferring to the Scottish Government. That is exactly why, as he pointed out, they have had to appoint more Ministers to cope with it. There were so many other speakers that I cannot go through them all, but my hon. Friend the Member for Moray (Douglas Ross) was right to talk about the importance of the investment in defence. I am sure I will be dealing with him a lot more in the coming months in my new role, and perhaps he will answer the phone a bit quicker to me now than he did when I was his Whip.

Stewart Malcolm McDonald: Given that the Minister is now a Defence Minister, I hope he will be able to help me. What was the promise made by the then Defence Secretary, now the Chancellor, during the independence referendum on troop numbers in Scotland? How far off target are the Government right now?
Stuart Andrew: The honest answer is: I do not know the answer to that question, but I will be honest about it and I will happily get back to the hon. Gentleman if he will allow me.

The hon. Member for Midlothian (Danielle Rowley) talked about how sad it is that people feel they have to choose between being Scottish or British, which is an important point. I consider myself Welsh, but I am very proud to be British, too. My hon. Friend the Member for West Aberdeenshire and Kincardine (Andrew Bowie) rightly pointed out that people such as Alex Salmond will never respect the result of the referendum, and that it is only the Conservative party that respected both the 2014 and 2016 referendums.

The right hon. Member for East Antrim ( Sammy Wilson) rightly said that this is not a pointless end of term debate. The Union is incredibly important to this country and to this Government. My hon. Friend the Member for Morecambe and Lunesdale (David Morris) reminded us that he is the only PPS to have served the Wales Office, Scotland Office and Northern Ireland Office. The hon. Member for East Lothian (Martin Whitfield) made an interesting point when he said that the Union is not a cul-de-sac but a highway. My hon. Friend the Member for Stirling (Stephen Kerr) rightly made a point about the tone of our politics. It is outrageous to see banners that have words such as “Tory scum out” on them, and I pay tribute to the hon. Member for Glasgow South (Stewart Malcolm McDonald) for making the intervention he did—he was right to do so. This debate does get heated.

The final contributions came from the hon. Member for Glasgow North East (Mr Sweeney); the hon. Member for Strangford (Jim Shannon), who talked about sport. That brought us back to one thing I have noticed that Christian Matheson did—he was right to do so. This debate does get heated. The Union is incredibly important to this country and to this Government. My hon. Friend the Member for Morecambe and Lunesdale (David Morris) reminded us that he is the only PPS to have served the Wales Office, Scotland Office and Northern Ireland Office. The hon. Member for East Lothian (Martin Whitfield) made an interesting point when he said that the Union is not a cul-de-sac but a highway. My hon. Friend the Member for Stirling (Stephen Kerr) rightly made a point about the tone of our politics. It is outrageous to see banners that have words such as “Tory scum out” on them, and I pay tribute to the hon. Member for Glasgow South (Stewart Malcolm McDonald) for making the intervention he did—he was right to do so. This debate does get heated. The Union is incredibly important to this country and to this Government. My hon. Friend the Member for Morecambe and Lunesdale (David Morris) reminded us that he is the only PPS to have served the Wales Office, Scotland Office and Northern Ireland Office. The hon. Member for East Lothian (Martin Whitfield) made an interesting point when he said that the Union is not a cul-de-sac but a highway. My hon. Friend the Member for Stirling (Stephen Kerr) rightly made a point about the tone of our politics. It is outrageous to see banners that have words such as “Tory scum out” on them, and I pay tribute to the hon. Member for Glasgow South (Stewart Malcolm McDonald) for making the intervention he did—he was right to do so. This debate does get heated.

Business without Debate

DIGITAL, CULTURE, MEDIA AND SPORT COMMITTEE

Ordered,
That Christian Matheson be discharged from the Digital, Culture, Media and Sport Committee and Clive Efford be added.—(Bill Wiggin, on behalf of the Selection Committee.)

HOME AFFAIRS COMMITTEE

Ordered,
That Naz Shah be discharged from the Home Affairs Committee and Kate Green be added.—(Bill Wiggin, on behalf of the Selection Committee.)
have accrued up to £17,000 debt to pay for the work that was carried out; and further that in many cases the installer did not apply for building warrants and as a result we are unable to sell our properties or have the assurance that they are safe to live in, or can be insured.

The petitioners therefore urge the House of Commons to ensure that the Government will compensate and protect people who have found themselves suffering a detriment because of this Government backed Scheme, and take steps to ensure that this cannot happen in the future.

And the petitioners remain, etc.

Mamba: Societal Effect

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

9.58 pm

Ben Bradley (Mansfield) (Con): I am delighted finally to lead this debate about the effect on society of the drug Mamba, which is a growing issue both in my constituency and in similar towns across the UK.

Mamba, also known as Black Mamba, is one of several synthetic cannabis products that have emerged on the drugs market in recent years. Members might also have heard of Spice, which was originally a brand name for a version of synthetic cannabis. These drugs contain a herbal smoking mixture that has been mixed with a group of drugs known as synthetic cannabinoid receptor agonists, or SCRs for short.

Spice and Mamba are now used as nicknames for any type of herbal mixture that has been coated with an SCRA. They were sold as legal highs until the Psychoactive Substances Act 2016 came into force, so this is a very recent challenge, which perhaps explains why we seem to be fairly unprepared for dealing with it.

Mamba and Spice were initially seen as an alternative version of cannabis but, as I will go on to say, they bear a closer resemblance to harder drugs such as heroin. The name “synthetic cannabis” is in many ways unhelpful, because it draws comparisons with cannabis that are largely untrue, and the impact is certainly far worse both for individuals and for communities. These drugs are often known as “zombie drugs” for the terrible effects that they have on their users. After consuming Mamba, users often resemble zombies, slumped in a state of semi-consciousness, sometimes foaming at the mouth and sometimes passed out in the street. Tom in my office has given CPR to drug users on multiple occasions when they have passed out in the street outside my office during working hours in broad daylight. It is a huge strain on police, ambulance and hospital services, as well as on Tom’s nerves. These drugs vary wildly from drug to drug and even from batch to batch. They are often made by small-scale producers, so the quality is incredibly inconsistent and sometimes dangerous.

I know that many of my colleagues and Members across the House will have similar issues in their own constituencies. This is a national problem affecting every corner of the United Kingdom.

10 pm

Motion lapsed (Standing Order No. 9(3)).

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

Ben Bradley: This is a national problem affecting every corner of the United Kingdom. In Mansfield town centre, like many town centres around the country, we have a persistent and growing problem with these drugs and the individuals who take them. Users tend to congregate in town in very public places. They consume Mamba and then stay in the town centre for hours in a semi-comatose zombie state. It is awful to see, and it has a terrible impact on users and a knock-on effect on the whole town and across society. It is no exaggeration to say that I receive an email or a message from constituents on this issue literally every single day.
Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on raising this matter. As always, he has picked a subject, as he rightly says, that is very important across the whole of the United Kingdom of Great Britain and Northern Ireland. Given that Spice is as addictive as heroin, does he not agree that it must be treated with the seriousness, and also with the sanctions, of heroin trafficking?

Ben Bradley: I absolutely agree with the hon. Gentleman. Later in my speech, I will come on to why that is the case and to what I hope will be remedies for the issue as we currently find it. This comparison with cannabis in particular is neither fair nor realistic. It is more comparable with heroin, because they say that it is easier to deal with than those addicted to heroin.

I am keen to use this opportunity to ask the Government to undertake a number of actions on this issue. First and foremost, I am concerned about the classification of these drugs. Before the ban on psychoactive substances in 2016, these drugs were sold either over the counter or online, under a variety of brand names. They were often seen as a new version of cannabis. I am pleased that the Government have banned these drugs and other “legal highs” but I am concerned that we have not gone far enough. These drugs are incredibly dangerous, they destroy lives and they are very clearly damaging my community in Mansfield as we speak.

Mamba is highly addictive and the withdrawal symptoms of Mamba and Spice are said to be worse than coming off cocaine or heroin.

John Howell (Henley) (Con): Does my hon. Friend agree that the development of a new test for detecting Mamba would be of enormous value in the fight against this drug?

Ben Bradley: I absolutely agree with my hon. Friend. There do not seem to be medical interventions into the police and local health services. Anecdotally I have heard from constituents who have tried to overcome their Mamba addiction by moving on to heroin, because they say that it is easier to deal with and that there is more support and more medical intervention available to help them to quit heroin than there is for Mamba, which goes to show that this drug is not comparable with cannabis. This is a hard drug.

Ronnie Cowan (Inverclyde) (SNP): Will the hon. Gentleman comment on the fact that in countries such as the Netherlands where cannabis has been legalised there is no demand for Mamba, Spice or any of those products?

Ben Bradley: As I have said, the comparison with cannabis is not a fair one. The challenge with these drugs is their affordability. They are illegal, but people can still get multiple hits for a fiver in the town centre. They were legal before, and perhaps we did not see the back street issue that we do now. The growing strength and poor quality of these drugs means that they are a growing health problem for many constituents.

Ronnie Cowan: That is the very point. Because these drugs are now illegal, we have driven them underground and put them into the hands of the criminals. The criminals are making them. We do not know the quality of these drugs. People who could be taking legal cannabis and would be happy taking legal cannabis have been driven into the hands of the criminals and are taking a product with no idea what is in it, and this is having the effects that the hon. Gentleman has so eloquently described.

Ben Bradley: The point I am trying to make is that cannabis is a totally different thing from these particular drugs. I would be happy to discuss whether we should legalise cannabis further down the line—different models exist around the world—but the point I am trying to make this evening is that the impact of these drugs is far worse than that of cannabis. I certainly do not think that we should go back to a scenario where these particular drugs are legalised. That would present huge challenges.

Users frequently suffer seizures, vomit, and have terrifying hallucinations and severe psychotic episodes. Seeing people in our town centres slumped against walls or hovering in this zombified state is horrific. It is awful for the users, who have literally lost control of their functions and are in desperate need of intervention and support, but it is also awful for other people in town. I have had the experience of trying to explain to my three-year-old son that the man on the floor is not dead and that he must be tired and asleep or whatever. I can easily understand why families contact me regularly, having had that experience, and then choose not to return to Mansfield town centre as a result.

As well as considering reclassification, we need a more joined-up strategy to help towns to deal with this issue. We need more help from the health service, including support programmes and the help for users that exists for other drugs such as heroin, but not for Mamba and Spice. Let me be clear; I am under no illusion that this is a simple issue. It is clear that the effects of Mamba on society are far-reaching and touch upon a number of Government Departments. Since being elected last year, I have focused on local issues, particularly homelessness in Mansfield and Warsop. Individuals who take these drugs are often facing their own personal crises, perhaps due to family breakdown, homelessness, other addictions or mental health problems. I am keen to look at the ways in which we can care for these individuals who are homeless and vulnerable, and who need assistance.

I pay credit to the charities, support workers and volunteers who help Mamba users in my constituency and around the east midlands. Relatively local to my constituency is the Nottingham Recovery Network, which runs a series of Mamba clinics in Nottingham to help users across the city. Next month, I am due to meet Neil Brooks, a clinical specialist who works in connection with the network, in order to learn more about his work and to speak directly to former Mamba users. Neil was kind enough to brief me on his work ahead of this debate. He is broadly supportive of the campaign to raise the classification of Mamba from class B to class A, and is also keen for the Government to look at the ways in which they can support detox programmes for Mamba users. The Nottingham Recovery Network has produced a series of notes that outline the situation locally and
provide a useful insight into these drugs, which, after all, are relatively new on the scene. The notes paint a bleak picture.

I will take a couple of minutes to look in more detail at the current situation locally. There are no national figures for emergency hospital admissions for Spice-related incidents, but it is likely to be several thousand admissions a year. Not only is Mamba one of the cheapest drugs on the market; it is also one of the strongest. In their pure form, synthetic cannabinoids are either solids or oils. They are then added to herbs, vegetable matter or plant cuttings to make a smoking mixture, so that the result looks like cannabis.

A key feature of Mamba is the compound acetone. Dealers frequently use nail polish remover, which is used to bind the liquid to the herbal plant matter during production. As well as giving the drug a distinctive smell, acetone causes a variety of physical problems for Mamba users. What is even worse is that dealers and producers are frequently adding more and more acetone to their product to make their Mamba stronger. Alarmingly, the extra acetone content leads to the cost of the drug declining, making it more affordable, but obviously much more dangerous. Mamba continues to drop in price—from £60–£70 an ounce, to now regularly selling for £40–£50 an ounce or even lower. The price of a bag bought on the street remains at about £5, typically providing four hits, so hon. Members will understand why it is becoming the drug of choice for hard drug users.

Mamba is also having an impact in our prisons. Unlike traditional cannabis, Mamba and Spice have a much lower odour, making it difficult for prison staff to tell when inmates are smoking the drugs. There are already considerable pressures on the prison system, but the prevalence of these drugs makes the situation even more challenging for prison staff. It is five years or more since the first reports of these kinds of drugs being used in prisons, and the situation has not been solved. Even worse are the cases where prison staff, nurses or other support workers have encountered the drug by accident, including by inhaling second-hand smoke. The drug is so potent that the effects of inhaling second-hand smoke can be quite significant.

We need to take this seriously. Mamba is not a slightly harder version of cannabis or a recreational drug that users occasionally dabble in. It is becoming the more affordable version of heroin. It is the hard street drug of choice for users because of its affordability, and it is making towns such as Mansfield places that people do not want to visit—never mind the personal impact on the users themselves.

I am asking the Home Office to consider reviewing the classification of these so-called zombie drugs, because the current classification does not reflect the truly dangerous nature of these substances. Changing the classification would mean tougher penalties for manufacturers and dealers.

Ronnie Cowan: Has the hon. Gentleman considered what we would be saying to criminals by raising the classification of synthetic cannabis to class A? We would be saying to criminals who handle this drug, “We are going to hammer down on you for this, because we see this drug as more destructive.” They will therefore protect themselves and the people around them by increasing the levels of violence that they use on their people in their marketplace. That would mean that, yet again, it is the vulnerable people who would be the most punished by such a move.

Ben Bradley: I am not sure that I agree with the hon. Gentleman. The problem is the availability of these drugs—they are so easy to find. I have come across bags of it lying in the street in my town centre, just abandoned there. Part of the problem is that people dealing in it and taking it do not see any consequence to their situation. There are very few legal consequences. Later I will come on to some of the challenges with people going round and round the system because of this drug.

Making Mamba a class A drug would mean that it would become more of a risk to deal in it. As a result, the supply would decrease and prices would rise. It would also, crucially, give the police greater powers to prosecute offenders and to get dealers and users off our streets and out of our town centres, whether that is to support services, rehabilitation or, in some cases, prison.

Jim Shannon: I fully support what the hon. Gentleman says. It is quite clear that we need legislation in place to prevent this drug from destroying lives and destroying the future for many people. It is not sufficient to say that if we legalise it in some places that makes it better—it does not. We need to make sure that it is not legalised and thereby we make sure that people do not have access to it.

Ben Bradley: I agree with the hon. Gentleman. I want to draw the distinction, again, between these drugs and cannabis. They are totally different propositions. There may be an argument for a discussion about the legalisation of cannabis; that is obviously a hot topic at the moment. However, these drugs do not fall into that category—there is genuinely not enough legislation and not enough consequence to taking these drugs. Some of us have seen the impact in town centres; it sounds as though the hon. Gentleman has. The impact that this is having on Mansfield, in particular, is horrendous to see.

Ronnie Cowan: Following the hon. Gentleman’s logic, he wants to crack down on Mamba after a series of crackdowns over the years on other hard drugs, but that has hardly been a raging success, has it? All we have seen is the escalation of drugs on our streets. They are so readily available because they are in the hands of criminals, and we do not know what is in them. Coming down hard on vulnerable users and low-level drug dealers does not stop or interrupt the flow of harmful drugs to our streets for any more than a couple of hours. They are soon back and doing it again. All we are doing is playing into the hands of the criminals.

Ben Bradley: This has to be about support from all sides. A legal line has to be drawn—there have to be ramifications to taking these drugs. There need to be support services and medical intervention. As I have said, medical interventions do not exist for these drugs in the same way as they do for heroin and others. It is becoming increasingly apparent to me in Mansfield town centre that the users of this drug see no legal consequence to literally walking through the streets shouting about having taken it, in front of families, children and whoever else. They are in and out of prison with no consequence. They can go round and round the legal system without
any ultimate price to pay. For a homeless person, sometimes a bed in a prison is better than their normal situation. We have to come to this situation from all angles—support, policing, medical intervention and various other aspects that can help to deal with it—because it certainly cannot be allowed to carry on as it is. However, I fully appreciate the hon. Gentleman’s point.

It is also vital that we get the message across in schools. Obviously we talk about drugs in schools, but Mamba is relatively new, and it is dangerous. We need to stop people experimenting with the drug in the first place and make sure that they are aware of the dangers.

While the zombified images of users are bad enough—they are flowing around my constituents’ Facebook pages as we speak—let us not forget that these drugs can also be deadly. In March, the deaths of seven men in Birmingham were linked to Mamba. It is not just adults; children are now accessing these substances. The examples I have read about have been absolutely terrifying. Earlier this year, an 11-year-old in Wales smoked synthetic cannabis and ended up in hospital in a high-dependency unit for 33 hours while doctors dealt with the effects it was having on his young body. Although toxicology reports are still pending, it is believed that a 14-year-old boy from Greater Manchester died earlier this year after taking Spice while having a sleepover at his house with friends. He died at the intensive care unit at Alder Hey Children’s Hospital in Liverpool.

It is horrendous that we now have children dying after taking these drugs. Local police in my constituency tell me they are concerned that more and more children are now associating themselves with groups of Mamba users, and that this could become a heightened risk over the summer holidays. These drugs share the same classification as cannabis but have far more severe side effects. Having sought the advice of local services, charities and the local police, I know that stakeholders on all sides broadly support the idea of reviewing the classification of Mamba and other synthetic drugs.

Policing this issue is largely managed locally. In June, I met Inspector Nick Butler, the neighbourhood policing inspector in my constituency, and it was good to discuss how the police were tackling it locally. He detailed his concerns about policing Mamba and the effects of Mamba usage on crime levels more broadly. In the past 12 months, the town centre in Mansfield has seen a 22% rise in antisocial behaviour and a 34% rise in shop theft. Much of it relates to street drinking and Mamba usage. There is a persistent group of offenders in the town centre consisting of about 20 individuals, many of whom are heavy drug users. The police know them well and regularly review their cases. The police and support services are trying to deal with the problem, but without the ability to take tough action or a national framework or best practice to draw upon.

It might help if I detail a local case that the police in Mansfield dealt with recently—it might also evidence my view that we need tougher legal ramifications. The example, which I have anonymised, illustrates why we need tougher action. In Mansfield, a male resident and Mamba user repeatedly threatened and assaulted shop staff, district council staff and police in the town centre. This went on for a year. He carried weapons such as flick knives and would not listen to advice or engage with any of the agencies providing support. In fact, he would become verbally abusive if support was offered.

He would take Mamba and other substances in the town centre on a daily basis and become extremely abusive. He would often collapse, which would require an ambulance call-out, but when an ambulance would arrive he would threaten to assault the paramedics. A criminal behaviour order was obtained with a condition that he was not to enter Mansfield town centre, but what happened? He breached the order immediately and was arrested and placed before the courts. This happened four times. He was warned each time by the magistrates court not to breach the order, but each time he would walk out of the court and straight into the town centre, showing a complete disregard for the legal system.

The next time he breached the order, he was placed before the magistrates court and given a £10 fine, but the court also amended his order to allow him to visit a church in the town centre that he said he needed to access support services. The court did not consult the church, which was not very happy, to say the least. After the hearing, he immediately breached the order again on leaving the court and was given a suspended 21-day sentence. Having breached the order for the eighth time in four weeks, he was imprisoned for 30 days. He has once again returned to the town centre, however, and continues to abuse members of the public. He has been arrested again and the court has now bailed him pending reports.

That case makes it only too apparent that individuals can breach orders again and again and just how difficult it is to deal with persistent offenders. My local police cannot figure out what else they can do beyond issuing criminal behaviour orders and moving people out of the town centre. We need to take action to change that. It seems that the police are limited in what they can do when the courts cannot or are not willing to implement tougher penalties.

Aside from that case, I have been contacted by many constituents raising concerns about the impact Mamba is having in our town centre. I have been contacted by staff from local shops, including independent shops and larger companies such as Wilko. Shop staff have raised concerns about threats that they receive at work. The level of shoplifting has risen—I mentioned the statistics earlier—which is having a real impact on the profitability and viability of stores in the town centre.

Ronnie Cowan: Is the hon. Gentleman aware of a project run by John Marks in the Wirral in the 1980s, where he gave medical heroin out to addicts, after which the crime rate dropped by 96%?

Ben Bradley: I am not aware of that, but I would not advocate giving out heroin to my constituents, and I do not think many of them would go along with it either. I would be interested to read about the project and see the science behind it, but I do not think I would ever be likely to condone that kind of action, if I am being honest.

The threat of violence and the possibility of business closures is causing understandable stress for retail workers locally. They do not deserve to have to deal with “Mamba zombies” as part of their daily work. The Government
are working on a number of ways to support our high streets and town centres, but that good work can so easily be undermined by the presence of hard drug users in our town centres. I explained earlier the experience I had with my children, walking through town and trying to explain to them exactly what was going on with this drug use.

Mansfield has great potential in its town centre—indepenent shops, listed buildings, a lovely market square, amazing people—but I am concerned that the persistent group of drug users in the town centre is already putting people off, and that this reputation will continue to grow unless we take action. I have already touched upon some of the positive steps being taken locally, including work to co-ordinate the approach of the local police and local housing organisations’ outreach support. It is also good news that Mansfield District Council now has a specialist team to tackle drug-related antisocial behaviour in the town centre.

The purpose of this debate is not only to highlight the impact that Mamba is having on local communities, but to lobby the Government for change. I am keen that more action is taken to address the problem at a national level. I have been in contact with the Home Office about Mamba in recent weeks, and of course I welcome the various actions that have already been taken to deal with the misuse of such drugs. Since the Psychoactive Substances Act 2016 came into force, banning such substances, hundreds of retailers across the UK have either closed or are no longer selling these drugs. Police have arrested suppliers, and the National Crime Agency has removed many such substances from UK-based websites.

There has been action—it has been a good start—but we need to review the classification of these drugs. We also clearly need a national strategy and support from central Government to help to tackle an issue that is not confined to Mansfield. It is a national problem, with many town centres across the UK experiencing similar problems, and I have heard from other Members about similar issues in their constituencies. We require a national framework, and I am calling on the Government to work with police forces, councils, charities and experts to put a framework in place to help towns and cities to deal with this problem effectively. Police and councils need some advice on how to deal with the problem at local level. Mamba usage is a relatively new problem with its own specific challenges, and the approach has been mixed because we do not have a national plan. While there are great examples, such as the clinic run by the Nottingham Recovery Network, the reality in many areas is that police forces, councils and charities have to deal with the issue without effective guidance and without the frameworks to ensure a collaborative cross-organisational approach.

We also need to investigate what medical interventions might be possible. It is easy to talk about drug users as a problem, but many obviously have their own personal issues and terrible personal circumstances that have lead them to this point. As far as I can see, there is no medical approach in the same way that there is for heroin users with methadone. I have not concentrated on that, because a Home Office Minister is responding to the debate and it is more of a Department of Health and Social Care issue. However, I hope that the Minister will consider that.

I am asking the Government to create a national strategy and framework, including clear guidelines and advice, to help those who are dealing with such drugs. I will be grateful if the Minister will talk to his colleagues in the Department of Health and Social Care about the medical interventions that may be available. Most importantly, the Government should consider reclassifying the drug so that it is more comparable with heroin and cocaine than marijuana, to give the police the opportunity to deal with it in the same way. This is an incredibly serious problem that we need to address head on.

10.22 pm

The Minister for Policing and the Fire Service (Mr Nick Hurd): Since being elected, my hon. Friend the Member for Mansfield (Ben Bradley) has been a tireless champion for his constituents, and I congratulate him on securing a debate on an issue that is clearly causing a great deal of concern in Mansfield. As he rightly points out, that concern is shared across many town centres, which was reflected in a recent Westminster Hall debate on the subject, and I saw for myself while out on patrol with the police on the streets of Newcastle just what a damaging and unsettling effect these so-called zombie drugs can have. As he points out, such drugs have also been linked to deaths, with 27 in 2016 according to the Office for National Statistics, so we are talking about a serious issue.

As my hon. Friend said, this is a relatively recent challenge, but it is a growing one, and I hope I can assure him that the Government are taking it seriously. We are not going as far as he would like at this point, but the subject is kept regularly under review because we are aware of how dangerous such drugs can be, of the devastating impact that they can have on families and the individuals taking them, and of how unsettling they are for communities. As he pointed out, such drugs are often more potent than cannabis and their effects are not well understood. Batches vary in strength, making it easy to use too much. Using such drugs can cause immediate side effects such as panic and hallucinations, long-term harm such as psychosis, and dependence. That was why we acted to control these substances as class B drugs under the Misuse of Drugs Act 1971 and to give the police the powers they need to take action, including making possession illegal and providing longer sentences for dealers.

Ronnie Cowan: Will the Minister give way on that point?

Mr Hurd: I am not going to take interventions, because the hon. Gentleman took up a lot of time during the speech of my hon. Friend the Member for Mansfield, and I have a short amount of time in which to respond and pay sufficient respect to the subject.

As my hon. Friend pointed out, the use of new psychoactive substances has fallen significantly since we introduced the Psychoactive Substances Act 2016. Thanks to that legislation, hundreds of retailers have either closed down or are no longer selling psychoactive substances, and the first offenders have been convicted. He expressed a note of scepticism about police powers. While there were 28 convictions in England and Wales in 2016, with seven jailed under the new powers, that rose to 152 convictions with 62 people immediately sent to custody in 2017.
My hon. Friend’s central point was his desire, shared by colleagues in the House—I am thinking particularly of our mutual hon. Friend the Member for Torbay (Kevin Foster)—to see synthetic cannabinoids such as Mamba and Spice reclassified from class B to class A drugs under the Misuse of Drugs Act 1971. I understand the argument my hon. Friend the Member for Mansfield is making specifically about wanting to introduce more risk into the dealing of these highly dangerous drugs. He will appreciate that the controls we have put in place are relatively recent, and their impact is being monitored closely. The Government rely heavily on advice from the Advisory Committee on the Misuse of Drugs. Its position at the moment is not to reclassify synthetic cannabinoids.

Ronnie Cowan: Will the Minister give way?

Mr Hurd: I have already told the hon. Gentleman that I will not give way to him, because I am responding to the debate.

I can assure my hon. Friend that the Government will continue to keep an eye on the area and will continue to engage with colleagues who have a deep concern. In the absence of the decisive move that he is arguing for, the key in the short term is cross-sector partnership work at the local level, as he pointed out. I am aware of the approach being taken in Mansfield, which he rightly praised. I am also aware of the work that the police there have undertaken along with other agencies to tackle problems with the use of these drugs. He talked about the police profile of the drug that Nottinghamshire police have drawn up. My hon. Friend may be aware of that.

I have made the connection with rough sleeping, because the increasing use of synthetic cannabinoids among rough sleepers reflects the fact that, as my hon. Friend pointed out, they are cheaper, stronger and more accessible than other substances, such as heroin, crack cocaine or alcohol. Local strategies must therefore cover rough sleeping. As he knows, the Government take this issue very seriously. We will be bringing forward our rough sleeping strategy later this summer, which will make an important contribution.

In conclusion, I again thank my hon. Friend for securing this Adjournment debate on a very important topic. I hope I have made it clear that the Government are not sitting on our hands. We recognise across the Government that this issue is best tackled by working collaboratively. There is no overnight solution, but the set of measures I have set out shows the strong links between the use of synthetic cannabinoids and vulnerable groups, and this Government are determined to take the necessary action to get on top of this growing problem—
House of Commons

Tuesday 24 July 2018

The House met at half-past Eleven o’clock

PRAYERS

[Mr Speaker in the Chair]

Mr Speaker: On today’s Order Paper it is noted that on 27 July 1918, Major Francis Bennett-Goldney, Royal Army Service Corps, Member for Canterbury, died from injuries sustained in a car accident while serving as honorary assistant military attaché in Paris; and that on 22 August 1918, Captain the hon. Oswald Cawley, Shropshire Yeomanry and 10th (Shropshire and Cheshire Yeomanry) Battalion The King’s Shropshire Light Infantry, Member for Prestwich, was killed in action near Merville, France. We remember them today.

Oral Answers to Questions

HEALTH AND SOCIAL CARE

The Secretary of State was asked—
NHS Services: Online Access

1. Alan Mak (Havant) (Con): What recent progress has been made on providing patients with online access to NHS services.

The Secretary of State for Health and Social Care (Matt Hancock): It is a great honour to be here, Mr Speaker. There is good progress in patients using online services in the NHS—about a quarter of patients are now registered to access general practitioner online services, up from about a fifth a year ago—but there is much more to be done to use technology in the NHS for the benefit of patients and clinicians alike.

Alan Mak: I congratulate my right hon. Friend on his appointment. Healthcare delivered by app is increasingly popular with patients in Havant and across the country. Will my right hon. Friend reconfirm his Department’s commitment to the first ever NHS patient app, and update the House on the timetable for its roll-out?

Matt Hancock: The roll-out of technology right across the NHS and, indeed, social care is good for patients and good for clinicians. I have seen countless examples of that in just my first two weeks in this job. I pay tribute to the Centre for Policy Studies report, which was launched by my predecessor and authored by my hon. Friend, which demonstrates how apps can be useful for making healthcare easier to access for patients. Apps are popular with patients, and I cannot wait to drive that forward.

22. Helen Goodman (Bishop Auckland) (Lab): May I congratulate the Secretary of State on his new appointment? Another new technology that really matters is MRI scanners. We have had a big fundraising campaign in Bishop Auckland for ours, but the problem with such fundraising campaigns is that they are of course easier in wealthy areas than in poor areas. Will the Secretary of State pay attention to evening out this uneven distribution of resources?

Matt Hancock: Yes, of course I will. I pay tribute to the hon. Lady for her work to raise funds for the MRI scanner in Bishop Auckland, which benefits from great levels of philanthropy in some areas. The whole purpose of having a national health service is that, wherever people live in the country, they can get high-quality healthcare, free at the point of delivery, according to need. I stand by that principle, and I honour it.

Dr Sarah Wollaston (Totnes) (Con): I welcome the Secretary of State to his post. He will know that no regulator is prospectively examining the safety and effectiveness of diagnostic apps in use in the NHS. I wrote to his predecessor recently following concerns that were raised with me about Babylon’s apps, which could be missing symptoms of meningitis and heart attack, for example. What steps will the Secretary of State take to ensure that, as these technologies are rolled out, patients have can have absolute confidence that they have been properly evaluated for safety and effectiveness? Will he set out how he will take that forward?

Matt Hancock: The Chair of the Health and Social Care Committee makes a really important point. There is no greater enthusiast for technology than me—as you well know, Mr Speaker—but the thing about new technology is that the rules sometimes need to be updated to take changes in technology into account. The response when there are challenges such as the one my hon. Friend raises is not to reject the technology, but the opposite: to keep improving the technology so that it gets better and better, and to make sure that the rules keep up to pace. I spoke to Simon Stevens at NHS England about this only this morning—we have had a series of conversations in the past couple of weeks since I have been in post—and he is reviewing this exact question. I am absolutely sure that we will get to the right answer.

Andy Slaughter (Hammersmith) (Lab): Is the Secretary of State familiar with the “GP at hand” online service? It is a partnership between a private company and a Fulham GP surgery, and it has poached thousands of profitable patients from GPs all over London, to the alarm of the British Medical Association and of GPs generally. My clinical commissioning group is investigating it, and in the meantime CCGs have blocked Babylon’s expansion to Birmingham on safety grounds. This is creating a two-tier system for GPs, so will the Secretary of State investigate it?

Matt Hancock: I am acutely aware of the question that the hon. Gentleman raises, not least because I am a user of the Babylon service myself—it is my GP. The important thing is to ensure that the rules are kept up to date so that we can get the benefits of the new technology, but make sure that it works in a way that ensures everybody gets high-quality primary care.
Theresa Villiers (Chipping Barnet) (Con): Warm congratulations to the Secretary of State.

Whether it is online consultations or more traditional, face-to-face ones, will the Secretary of State join me in thanking all the NHS staff who do fantastic work in taking care of my constituents in Chipping Barnet?

Steve Brine: The truth is that we work together. In July 2017, the Government published a comprehensive new drugs strategy, setting out what we think is a balanced approach that brings together the police, health, and community and global partners to tackle the illicit drugs trade, and to protect the most vulnerable in our societies who are struggling with drug dependency and help them to recover and turn their lives around. I know the hon. Gentleman takes a very different view, but that is our approach.

Vicky Ford (Chelmsford) (Con): My nine-year-old constituent is currently having up to 400 epileptic seizures every week, and his family believe that medicinal cannabis may be beneficial. Will my hon. Friend update the House on what progress is being made regarding the use of medicinal cannabis for epilepsy sufferers?

Steve Brine: Obviously, our thoughts are with my hon. Friend’s constituent. A two-part review is going on. In the first part, the chief medical adviser considered the evidence available for the medicinal and therapeutic benefits of cannabis-based medicinal products, and found conclusive evidence of the benefits of those products. Part 2, which will be led by the Advisory Council on the Misuse of Drugs, will provide an assessment, based on the balance of harm and public need, of whether we need to do anything regarding the misuse of drugs regulations. While the review is under way, we have established, as an interim measure, the expert panel of clinicians to advise Ministers on any licence applications from senior clinicians, which helped Alfie Dingley, for example.

Sir Vince Cable (Twickenham) (LD): What action is the Minister taking with colleagues in the Home Office in respect of the drug Xanaz, which is reputedly freely available at very low prices, and is more addictive than heroin? What action is he taking to raise awareness and deal with rehabilitation?

Steve Brine: We are very aware of this drug and its dangers. A few months ago, I responded to an Adjournment debate on the matter that was secured by the hon. Member for Enfield, Southgate (Bambos Charalambous). We are watching the issue very closely. I will find out some more details and write to the right hon. Gentleman. I know that he takes a close interest in this, and we will speak about it.

Maternity Care

3. Victoria Prentis (Banbury) (Con): What steps is he taking to improve safety in maternity care?  

The Minister for Care (Caroline Dinenage): Our national ambition is to halve the rates of stillbirths, neonatal and maternal deaths, and serious birth-related brain injuries by 2015. We are working with our partners to implement the maternity safety strategy, and new data shows that the stillbirth rate in 2017 was the lowest since records began in 1927.

Victoria Prentis: Our three children were all born in periods of extremely hot weather. I ask the House to think of the families of Banbury who have to travel for up to an hour and a half or even two hours, if they are lucky enough to have their own car, to Oxford to give...
birth in a full obstetric unit. May I encourage the Minister, in her drive to ensure that maternity care is safe, kind and close to home, to ask the new Secretary of State to visit us in Banbury soon so that he can assess the situation for himself?

**Caroline Dinenage:** I completely understand my hon. Friend’s concerns. She has been an incredibly strong advocate and campaigner on this very issue. As she knows, no permanent changes will be made until the work is carried out by the independent review panel, which is looking at attempts to recruit obstetric staff for her local services. I thank her very much for the offer of a visit; I am sure the Secretary of State will look at it very closely.

**Dr Paul Williams** (Stockton South) (Lab): Dr Neal Russell volunteered to help in the fight against Ebola. Today he has returned his Ebola medal in protest at the healthcare hostile environment for migrants caused by a new charging regime, which has led to vulnerable pregnant women here in the UK being too afraid to get maternity healthcare. Will the Minister suspend her Department’s charging regime, pending the completion of a thorough and independent public health assessment?

**Caroline Dinenage:** That is incredibly sad news. We hate to hear of anybody who has done such incredible service in the pursuit of great healthcare around the world taking such drastic steps. We have an incredibly strong departmental ambition for NHS maternity to provide the safest, highest quality care in the world. That is something we will continue to aspire towards.

**Andrew Jones** (Harrogate and Knaresborough) (Con): The maternity unit at Harrogate Hospital is award winning due to the skills and compassion of its fantastic team. What action is my hon. Friend taking to encourage more people into maternity care and midwifery careers?

**Caroline Dinenage:** The Department’s maternity safety ambition plans are to train more than 3,000 extra midwives over the next four years. As part of that, we will be working with our partners to develop new training routes to become registered midwives so that, along with other roles in the NHS, maternity and midwifery can attract the best and retain the most talented staff.

**John Cryer** (Leyton and Wanstead) (Lab): According to the Royal College of Midwives, the national shortage of midwives is running at nearly 4,000 and is particularly acute in areas like mine in east London, with its very high property prices and rising birth rates. How does the Minister intend to address that?

**Caroline Dinenage:** There are in fact 2,300 more midwives in the NHS than there were in 2010, but the hon. Gentleman makes a very good point. We want to continue to attract the best people into midwifery, which is why we are providing an extra £500,000 to the NHS to cover the clinical placement costs for 650 additional students in 2019-20.

**Childhood Obesity**

4. **Nigel Huddleston** (Mid Worcestershire) (Con): What steps he is taking to reduce rates of childhood obesity.

14. **Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): What steps he is taking to reduce rates of childhood obesity.

**The Secretary of State for Health and Social Care** (Matt Hancock): We published the second chapter of our world-leading childhood obesity plan on 25 June. It builds on the progress we made since the publication of chapter 1 in 2016, particularly on the reformulation of products that our children eat and drink most. We will continue to take an approach that is based on evidence and we are determined to act.

**Nigel Huddleston:** I warmly welcome the Secretary of State to his post. I am sure that he was as alarmed as I was to learn that the proportion of 11-year-old children who are obese is now greater in the UK than the US. What more can we do to educate children and their parents about the benefit of a balanced diet and healthy life start?

**Matt Hancock:** I pay tribute to my hon. Friend’s work at the Department for Digital, Culture, Media and Sport on this matter. It is critical that we have a cross-Government approach. The obesity plan is led by the Department of Health and Social Care, but it is a cross-Government plan. There is a whole range of actions we need to take—from education through to culture and broadcasting—to make sure we get it right.

**Dr Johnson:** One of the reasons why tackling obesity in children is so important is the fact that it has such long-term detrimental effects on health. Now that the Government have published chapter 2 of their childhood obesity strategy, will the Secretary of State outline how it will have a long-term impact on children’s health and tackle issues such as diabetes and heart disease?

**Matt Hancock:** My hon. Friend is absolutely right that obesity, especially in children, is one of the underlying conditions that often leads to much worse long-term health conditions. Some 22% of children aged four and five in reception are overweight or obese; that number is too high and we have to act.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I welcome the Secretary of State to his new post, which is one of the toughest jobs in Parliament. Having worked with him on other things in the past, I am sure that his energy will come through in the Department.

I have a vested interest in the welfare of young children as we are expecting our 11th grandchild in October. Will the Secretary of State look closely at the relationship between obesity in early childhood and the diet of mothers during pregnancy? Early research shows that there is a link, so will he look at it carefully?

**Mr Speaker:** A veritable football team of Sheermans.

**Matt Hancock:** I am sure that they will grow into that, Mr Speaker.

I pay tribute to the work that the hon. Gentleman has done, which I have watched with admiration from elsewhere. I will certainly look at the point that he raises, which is very important, and we will take a fully evidence-based approach.
Nick Smith (Blaenau Gwent) (Lab): I, too, welcome the Secretary of State to his new job. Today’s figures show that levels of severe obesity in children are at a record high, so will the Government speed up their childhood obesity strategy to tackle this urgent public health challenge?

Matt Hancock: We published chapter 2 less than a month ago. There is further work to do, because that sets out a whole series of areas in which we are going to take action, and I am already working on pushing it faster.

Philip Davies (Shipley) (Con): I know that the Secretary of State has a track record of evidence-free, nanny-state policies from his time in DCMS. Can we expect more of the same in his new Department, or is he going to try out some Conservative principles, such as individual freedom, and individual and parental responsibility?

Matt Hancock: I am delighted to see that the teamwork between my hon. Friend and I is going to continue. You might be surprised to know, Mr Speaker, that there are some things on which my hon. Friend and I agree. One is the importance of individuals taking responsibility—a critical part of public health and tackling obesity—supported by an enabling state.

Mr Speaker: The Secretary of State is working extremely hard. I hope that he will take it in the right spirit if I say that I do not think he has yet quite secured the Shipley vote.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Sarah, who runs the Devonport Live café in Devonport, one of the poorest parts of the country, used to provide cookery classes for local young mums, but she cannot do that anymore because of a lack of funding to provide the support, facilities and food to help young mums—especially those on low incomes—to get the skills that they need to cook healthy meals for their children. What support can the Secretary of State give to young mums and to people such as Sarah who want to provide cookery lessons to support tackling childhood obesity?

Matt Hancock: The hon. Gentleman makes an important point. Funding is available from lots of sources, not just taxpayers. Nevertheless, he will have noted that I have already started talking about the importance of getting funding out into the community, whether that is through social prescribing or wider public health efforts, to make sure that we try to tackle health problems at source and keep people out of hospital as much as possible, rather than spending all the money on sorting things out later in hospital.

HPV Vaccine

5. Sir Paul Beresford (Mole Valley) (Con): What assessment has he made of the potential merits of extending the provision of the HPV vaccine to boys.

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Our expert group, the Joint Committee on Vaccination and Immunisation, issued its final advice on HPV vaccination for boys on 18 July. I have carefully considered its advice, and I wanted to tell the House first that the Government will introduce a nationwide HPV vaccination programme for adolescent boys. This will bring clear health benefits for boys, providing them with direct protection against HPV infection and associated disease, including a number of cancers.

Sir Paul Beresford: I declare an interest as a very, very part-time dentist.

I am delighted by the response, but given the importance of head and neck cancer prevention for both sexes, but especially for males, who are twice as susceptible, will the Minister supplement this programme with a catch-up programme, as was done for girls in 2008, to make the vaccine available for 14 to 18-year-old boys?

Steve Brine: I thank my hon. Friend for welcoming this. The British Dental Association has been key in lobbying on this issue, as has—I give credit where it is due—The Mail on Sunday, which has campaigned on it for a long time. I have asked NHS England and Public Health England to work together to advise me on the implementation of the programme, including with regard to the issue that he raises, which makes a lot of sense and for which there is precedent from the girls’ programme. I will of course consider the advice and confirm the implementation plan as soon as possible.

Diana Johnson (Kingston upon Hull North) (Lab): I congratulate the Minister on that announcement. The vaccine also plays its part in protecting against sexually transmitted disease. Will he say something about the fact that syphilis is now at its highest rate since the second world war and that there are strains of gonorrhoea resistant to treatment? What are the Government going to do about this?

Steve Brine: They are linked but separate issues. Yes, the HPV vaccine is very important for adolescent boys, for men who have sex with men and for people before their sexual debut. Sexual health is of course a huge challenge. We work closely with local authorities—top-tier local authorities are all public health authorities—and, through the ring-fenced public health grant, which is £16 billion during this spending review period, we are providing those services.

Alex Chalk (Cheltenham) (Con): Cancer survival rates are now at an all-time high thanks to the brilliant and dedicated work of clinicians, including at Cheltenham General Hospital, but prevention is better than cure. Will the Secretary of State direct his customary energy towards prevention work, including vaccinations, but also tackling risk factors such as obesity?

Steve Brine: Yes, he will. I am pleased to say that prevention is one of the Secretary of State’s three key priorities. The HPV vaccine is a key prevention measure, while one of the drivers behind the child obesity plan was Cancer Research UK’s very clear advice that being overweight was one of the big risk factors, alongside diabetes, in cancer. Yes, prevention is always better than cure.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): I welcome the Government’s acceptance of the JCVI’s recommendation to extend the vaccination
programme to adolescent boys, but the Minister will know that there are huge regional differences in the take-up of the vaccination among girls. What steps will he take to tackle these regional differences before and during the roll-out to boys?

Steve Brine: The shadow Minister is absolutely right to raise this issue, which she also raised with me in the Westminster Hall debate on the same subject introduced by my hon. Friend the Member for North Thanet (Sir Roger Gale), who has done a lot in this area. I have already spoken to Public Health England about this in respect of the girls’ programme, and I will be speaking to it again now that we have announced the boys’ programme, because the equality of doing the dual programme must be matched by the equality of its taking place in her constituency as much as in mine in Hampshire.

BAME Blood, Stem Cell and Organ Donors

6. Eleanor Smith (Wolverhampton South West) (Lab): What steps his Department is taking to increase the number of BAME blood, stem cell and organ donors throughout England. [906610]

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The Government are committed to improving eating disorder services for adults. The National Institute for Health and Care Excellence has updated its guidelines, and NHS England recently completed a national review of provision and is considering next steps. We will also be ensuring that people remain properly served as they transfer between children’s and adults’ services.

Mr Cunningham: Two thirds of adults wait more than four weeks and one third wait 11 weeks for treatment. What are the Government going to do about it, in the light of the review that the Minister has just mentioned?

Jackie Doyle-Price: As I have said, NICE has published its new clinical guideline on the recognition and treatment of eating disorders in people over the age of eight, including adults, and we will make clear to NHS organisations what we expect of them. We are ensuring that we meet the waiting times for eating disorder treatment, and we are delivering against those standards.

Paula Sherriff (Dewsbury) (Lab): Data from NHS Digital show that the number of beds for people with serious mental health conditions, such as eating disorders, has fallen by nearly 30% since 2009. The Government say that they are committed to ensuring that everyone with an eating disorder has access to timely treatment, but according to the hon. Member for Central Suffolk and North Ipswich (Dr Poulter)—who I believe is also an NHS doctor—there is often a long wait for patients with eating disorders who need beds for urgent in-patient care. Does the Minister agree with him?

Jackie Doyle-Price: The hon. Lady’s starting point was “since 2009”. It is certainly true that there was a decline then, for a number of reasons, not least the fact that we are improving treatment in community settings rather than acute in-patient beds. Our Five Year Forward View began in 2014, and we have been delivering improvements in the number of beds and staff since that date.

Leaving the EU

8. Rosie Duffield (Canterbury) (Lab): What recent assessment he has made of the effect on the health and social care sector of the UK leaving the EU. [906613]

The Minister for Health (Stephen Barclay): The Government are undertaking a wide range of analysis in support of our EU exit negotiations and preparations. Our overall programme of work is comprehensive, thorough and continuously updated.

Rosie Duffield: Brexit poses major challenges for the NHS and, in particular, the beleaguered and neglected hospitals of East Kent. Can the Minister reassure me—and the Royal College of Midwives and other bodies—that we will be able to recruit much needed migrant worker staff to the health and social care sector and will encourage them to stay after March 2019?
Stephen Barclay: We will remain committed to attracting the brightest and best. The hon. Lady says that her area is “beleaguered”, I remind her that the Kent and Medway sustainability and transformation partnership received £101.2 million more than it received in the previous year.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): Nearly 10,000 EU citizens work in the social care sector, caring for some of the most vulnerable people in society. What steps is my hon. Friend taking to ensure that there will be no shortage of people working in that sector once we have left the EU?

Stephen Barclay: My hon. Friend has raised an extremely important point. The Home Secretary recently announced a settlement scheme to enable those staff from the European economic area to remain. However, it is also important for us not to scare EU nationals, and to point out that there are now 4,500 more non-UK EU nationals working in the NHS than there were two years ago, at the time of the referendum. There is often a sense that there are fewer, but that is not the case.

20. [906627] Chi Onwurah (Newcastle upon Tyne Central) (Lab): The number of vulnerable adults in Newcastle is rising by 20% each year. The over-85 population is set to rise by 60% in the next decade, and additional cost pressures will mean £30 million in extra costs over the next three years. How is Newcastle City Council supposed to meet the adult social care budget, given the cuts that will have to be made in it? I ask the Minister please not to write off the adult social care precept, because it does not even begin to cover those costs.

Stephen Barclay: I would have expected the hon. Lady to welcome the additional funds that have been announced—not just the £2 billion for social care, but the extra £20.5 billion a year, in real terms, that will be delivered through the long-term funding settlement. Instead of criticising that funding, the hon. Lady should welcome the Government’s commitment to increasing funds for the NHS and ensuring that it remains fit for the future.

Tom Pursglove (Corby) (Con): Does my hon. Friend agree that one of the big benefits of our leaving the European Union is that we will not be sending billions of pounds a year to Brussels, and can instead spend that money on our health service, as per the new funding settlement?

Stephen Barclay: My hon. Friend is right to draw the House’s attention to the fact that there are a number of benefits from leaving the EU, not just in terms of the dividend to which he refers, but in terms of flexibility, for example in—[Interruption.] Labour Members do not seem to want to hear about the opportunities: opportunities on life sciences for example, in terms of getting medicines through in shorter timescales; opportunities on immigration; opportunities on professional qualifications; opportunities even on food labelling. It is important that we take those opportunities, as my hon. Friend says.

Dr Philippa Whitford (Central Ayrshire) (SNP): I too welcome the Secretary of State to his place. Membership of the European Medicines Agency has enabled early access to new drugs for UK patients through a single Europe-wide licensing system for a population of 500 million. Can the Minister clarify whether it is still the Government’s intention to remain a member of the EMA, and perhaps explain why on earth they voted against the EMA amendment last Tuesday?

Stephen Barclay: As the hon. Lady will be aware, we accepted the amendment, and it is our intention to work as closely as possible on that as part of taking that forward—[Interruption.] To correct the—[Interruption.]

Mr Speaker: Order. To be fair, it is a speedy correction.

Stephen Barclay: This is a near instantaneous correction, Mr Speaker, to recognise that what I should have clarified is that, following the vote in the House, it is our intention to work as closely as possible with that, and we recognise the point the hon. Lady makes.

Dr Whitford: It is still rather hard to understand why the Government voted against it in the first place. There is no current associate membership of the EMA for the UK to re-join as a third country, so if it is not possible to stay in the EMA what is the plan to avoid delays of up to a year in the licensing of new drugs for UK patients?

Stephen Barclay: There are a number of things that can be taken advantage of. We can use the flexibilities we have in terms of assessments with shorter timescales so that we can prioritise UK drugs that are bespoke to the UK market. There will be opportunities as part of this, as well as our working closely with European colleagues.

NHS Workforce

9. Peter Grant (Glenrothes) (SNP): What steps he is taking to tackle workforce shortages in the NHS.

17. Patrick Grady (Glasgow North) (SNP): What steps he is taking to tackle workforce shortages in the NHS.

The Secretary of State for Health and Social Care (Matt Hancock): We now have more professionally qualified clinical staff working in the NHS: over 41,000 more since 2010, including over 14,000 more doctors and over 13,000 more nurses on our wards.

Peter Grant: The majority of NHS staff in Scotland will benefit from a 9% pay rise over the next three years; their equivalents in England will get a much lower increase, and we do not even know if the funding for that is secured. Does the Minister have any concerns that nurses in England may choose to relocate to Scotland where they could be paid almost £1,000 more and work for a health service whose Government actually value its work?

Matt Hancock: It is interesting that the hon. Gentleman asks that question, because it is worth looking at some of the facts. Over the five years to 2017 health spending increased by 20% in England but by only 14% in Scotland. As a consequence, people are 30% more likely to wait 18 weeks for treatment in Scotland than in England, and the increase in the number of nurses and doctors in
England has been higher than in Scotland. Perhaps the SNP should look at how we have been performing in the NHS in England and learn from that.

Patrick Grady: In that case, perhaps the Secretary of State will join the Royal College of Nursing in welcoming the action by the Scottish Government to enshrine safe staffing levels and ratios in law. Given that there are over 36,000 vacant nursing posts in the NHS in England, when will he follow the Scottish Government’s lead and bring forward legislation on safe staffing levels?

Matt Hancock: I have seen what has happened, and maybe the reason why the SNP has had to do that is that in England we have increased the medical workforce faster than in Scotland. When the performances improve in the Scottish NHS, we in England will start to take lessons, but until then I will concentrate on making sure we get the very best NHS right across the country.

Robert Courts: Barely two years after the shock closure of Deer Park medical centre in Witney, the people of Witney are now deeply concerned over the future of Cogges medical centre. Please will Ministers explain what they are doing to help with recruitment and retention of GPs in rural areas, and will the Secretary of State meet me to discuss the provision of GP services in our market towns?

Matt Hancock: I or the Minister of State would be delighted to meet my hon. Friend. Making sure that our GP services are of high quality and can respond to the health needs in the local community is absolutely mission-critical to getting prevention right, and I hope that my hon. Friend’s insights will feed into the long-term plan to guarantee the future of the NHS.

David Tredinnick: I congratulate the Secretary of State and remind him that when he tours the high streets of Britain he will find an increasing number of acupuncturists, herbal medicine practitioners, reflexologists, yoga practitioners and many more, and they all have one thing in common: none of them is available on the health service. Will he introduce the Scottish Government’s lead and bring forward legislation on safe staffing levels?

Matt Hancock: I value every person who works in the NHS and in social care, because everybody plays a part in improving the wellbeing and the health of the nation. I care deeply about that. On the question of sleep-in shifts, I saw the decision by the court and I have already had conversations with the Department for Business, Energy and Industrial Strategy, which leads on this regulation, to ensure that we can get the rules right for the future.

Alcohol Dependency


The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Alcohol addiction has a devastating impact on individuals and their families, and it is unacceptable that children bear the brunt of their parents’ condition. That is why we are investing £6 million over three years to support vulnerable children living with alcohol-dependent parents. I pay tribute to the former Secretary of State and to the shadow Secretary of State for their leadership in making this happen.

Kwasi Kwarteng: I thank the Minister for his answer, but this is obviously a much wider problem, affecting more than just the children of alcohol-dependent parents. Will he tell the House what more can be done to ensure that people in the wider community can access that kind of help?

Steve Brine: We are working on an alcohol strategy, which is being led by the Home Office, and I have spoken to a number of stakeholders in the last two weeks at the various roundtables I have been holding. On the question of alcohol-dependent parents with children, we are working through local authorities, which is important, but as part of the investment that I have mentioned, there is also £500,000 going into expanding the helpline provision for children who find themselves in this position. I have heard time and again when talking to children affected by this that being able to say that they are not alone in this is often a great place to start. The helpline will be very important in that regard.

Caroline Flint: I welcome the work that she does through the all-party parliamentary group for alcohol-use disorders. I welcome the comments made by the Public Health Minister today. I also welcome how open he has been to cross-party lobbying on this issue, including from my hon. Friend the Member for Leicester South (Jonathan Ashworth), the shadow Secretary of State. The £6 million is welcome news. Just to put it in perspective, more than 4,000 children phone Childline each year about alcohol use—it is the biggest concern that children have about their parents when they ring that service. We have something in Doncaster called the Family MOT—Moving On Together—and I hope the Minister will take the opportunity to see some of the good practice that is going on around the country. Will he tell us more about how that £6 million is likely to be spread around the country?

Steve Brine: I probably cannot do all of that without trying Mr Speaker’s patience, but I should like to thank the right hon. Lady, who is one of my predecessors, for the work that she does through the all-party parliamentary group.
group on children of alcoholics, and with the charity Adfam. Charities and other third sector organisations will play a key part in putting in bids to work with local authorities, as part of the £6 million. Public Health England is leading on that, and I look forward to having ongoing discussions with her and with other Members who I know have a deeply held personal interest in this matter.

Pregnancy: Smoking Rates

11. Bob Blackman (Harrow East) (Con): What steps he is taking to help reduce the rates of smoking during pregnancy.

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): Smoking rates are at their lowest ever, but we need to make more progress on tackling smoking in pregnancy, as I outlined in the general debate last Thursday. We are determined to redouble our efforts in this area, because smoking is still the biggest preventable killer in our country today.

Bob Blackman: I thank my hon. Friend for his answer. Smoking rates among pregnant women are still stubbornly high. What steps can he take to encourage the partners of pregnant women to give up smoking so that both partners play a part in preventing damage to the unborn child?

Steve Brine: My hon. Friend makes a good point, which he made in last week’s debate. Public Health England and NHS England will continue to work with local areas in our constituencies to promote evidence-based ways of identifying and supporting pregnant smokers to quit. The overall ambitions in the tobacco control plan, which I published a year ago last week, will touch the general population, which of course includes the partners of pregnant women.

Jim Shannon (Strangford) (DUP): Has the Department carried out investigations into the effects of vaping during pregnancy? If so, what are the results?

Steve Brine: Vaping and e-cigarettes were part of the Stoptober campaign that we ran last October through Public Health England. I am often criticised for not promoting vaping enough, and I am sometimes criticised for promoting it too much, which possibly gives me a steer. The advice is clear that the best thing to do, whether someone is pregnant or otherwise, is not to smoke.

Mistakes in Healthcare

12. Derek Thomas (St Ives) (Con): What steps his Department is taking to support families and patients affected by mistakes made in the healthcare system.

The Minister for Care (Caroline Dinenage): Families and patients are at the heart of our work to improve patient safety, which is why all NHS organisations are subject to a statutory duty of candour and should be open and transparent with patients and families when things go wrong. Last week, the National Quality Board published new guidance for NHS trusts to help them better support, communicate and engage with bereaved families and carers.

Derek Thomas: I thank the Minister for that response, but since I was elected three years ago I have come across several examples of families who have lost loved ones who went to hospital for repeat interventions from the health service, yet died from undiagnosed conditions, many of which could have been avoided. The problem is that those families have found getting answers and finding anyone to accept responsibility fruitless, so what more can the Department do to help them?

Caroline Dinenage: My hon. Friend is right to raise that issue. Those who have lost loved ones in that way need answers when things go wrong. The recent bereavement guidance is clear that, when notified of a death, families and carers should be told that they can comment on the care of the person who has died and raise any concerns. From next year, medical examiners will offer greater scrutiny for the bereaved, increasing transparency and offering them the opportunity to raise concerns.

Matthew Pennycook (Greenwich and Woolwich) (Lab): In a recent report, Healthwatch Greenwich drew attention to the fact that many local GP practices are still wrongly refusing to register patients, often vulnerable ones, unless they have ID or proof of address. What more can the Minister do to ensure that each and every GP practice is following the Department’s guidance?

Caroline Dinenage: I am grateful to the hon. Gentleman for that question, and I will certainly look more closely at the issue.

Draft Human Fertilisation and Embryology Act 2008 (Remedial) Order

13. Andrew Percy (Brigg and Goole) (Con): What assessment he has made of the extent to which the draft Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 meets his Department’s policy objectives on equality.

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The revised remedial order laid last week addresses the potential inequalities that were identified by the Joint Committee on Human Rights, but it also goes further, ensuring that a sole applicant biologically related to the child will always be able to apply for a parental order regardless of their relationship status. That is a step forward for equality.

Andrew Percy: On behalf of the all-party parliamentary group on surrogacy, I thank the Minister for meeting us recently and for laying the order, which removes an inequality. Surrogacy helps to build families, be they heterosexual, same-sex or individuals, so what more can she do to promote it?

Jackie Doyle-Price: My hon. Friend is right. There has been considerable growth in surrogacy arrangements in recent years, but I am unsure whether the law has kept pace with the changing practice. We have been revising the guidance to ensure that everyone can approach the matter with greater certainty but, more specifically, I have commissioned the Law Commission to have a good look at the law in the area so that we can ensure good practice in this country without driving people overseas.
Melanie Onn (Great Grimsby) (Lab): What action is the Minister taking to ensure that the National Institute for Health and Care Excellence guidelines on equal access to IVF are adhered to, so that people such as my constituent Rebekah Hambling, who sadly lost her IVF baby to group B strep, are not denied further rounds of IVF in North East Lincolnshire because they would still have been eligible in other CCG areas?

Jackie Doyle-Price: I agree with the hon. Lady. It is unacceptable that seven CCGs offer no IVF treatment at all, which is establishing a postcode lottery. We keep reminding NHS England and CCGs of the NICE guidelines and we expect them to follow them.

Mr Speaker: I call Bim Afolami. Not here. This is a rum state of affairs. I hope the fellow is all right. He was here earlier, but he has beetled out of the Chamber at a most inopportune moment. Well, there is nothing to be done, and the grouping breaks down, but I hope Bim’s okay. Reports would be welcome.

Cancer Strategy

16. Mr John Baron (Basildon and Billericay) (Con): What steps the Government are taking to ensure that the recommendations of the cancer strategy will be implemented by 2020. [906622]

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I, too, hope my hon. Friend the Member for Hitchin and Harpenden (Bim Afolami) is okay.

Saying that gave me a crucial few seconds. [Interruption.]

Mr Speaker: It is very good of the hon. Member for Hitchin and Harpenden to drop back in on us. Unfortunately, he beetled out of the Chamber at a most inopportune moment, just before his question was reached. If he sits there, and if he is a good boy, we might get to him in due course. We have moved on now, which is most unfortunate.

Steve Brine: We are very clear that achieving the 62-day standard is not a prerequisite for transformation funding, but the better the performance against the standard, the more funding alliances will receive. Most have now received 75% to 100% of the funding requested. This is taxpayers’ money, so we must ensure alliances are operationally strong and ready to achieve transformation.

Mr Baron: I welcome the new Secretary of State to his post.

There remains the inconvenient truth that, despite all Governments bombarding the NHS with process targets in recent decades, cancer survival rates are not catching up with international averages. The last Government’s estimates suggested that that needlessly costs 10,000 lives a year as a result. Will the Minister work with the new Secretary of State, in drawing up the next cancer strategy, to put outcome indicators at the very heart of the process? For example, holding the local NHS accountable for its one-year figures would encourage initiatives to promote earlier diagnosis, cancer’s magic key.

Steve Brine: I thank my hon. Friend for his work chairing the all-party group on cancer over many years, as I know he is about to step down. He has two answers in one here. Yes is the answer. Improving cancer patient outcomes will be the seam that runs through the centre of the NHS’s long-term plan, like the proverbial stick of rock.

Grahame Morris (Easington) (Lab): Only 5% of the NHS cancer budget, about £385 million a year, is spent on radiotherapy, and that underinvestment is affecting patient access to advanced modern radiotherapy and outcomes. Is it not time to make the cancer drugs fund a cancer treatment fund and extend those opportunities?

Steve Brine: We are looking at the future of the cancer drugs fund as part of the new 10-year plan. There is a radiotherapy review at the moment, as the hon. Gentleman will be aware. Knowing him, he will be engaging with the review in his area. He talks about the latest radiotherapy and, of course, we have the new proton beam therapy treatment coming online in London and Manchester, for which children and patients are currently sent overseas. That is a great step forward, but there is an awful lot more to do, which is why the 10-year plan will have cancer at its heart.

Artificial Intelligence

18. Mr Philip Dunne (Ludlow) (Con): What assessment he has made of the opportunity for artificial intelligence tools to improve the provision of healthcare. [906624]

The Secretary of State for Health and Social Care (Matt Hancock): The Government believe that artificial intelligence and other digital technologies have the potential to transform health and care services. Our work on that includes investing over £400 million in tech transformation, which I announced last week. There is much more to do.

Mr Dunne: I also welcome my right hon. Friend to his new role. He will bring tremendous energy and enthusiasm, particularly into the information advantage that we know is needed to transform the NHS. Does he share my view that not only will this transform patient outcomes but we can use artificial intelligence to improve patient treatments? What are his initial views of the obstacles standing in the way of rapid uptake of such technologies?

Matt Hancock: There are huge opportunities for AI to improve patient outcomes and to make life easier for staff. In answer to the second part of my hon. Friend’s question, it is all about getting interoperable data rules and standards in place so that different systems can talk to each other in a secure, safe and innovative way.

Ian Austin (Dudley North) (Lab) rose—

Mr Speaker: When we were at university together there was nothing, in my judgment, about the hon. Gentleman’s intelligence that was artificial.

Ian Austin: Thank you, Mr Speaker. It is not just artificial intelligence. The development of other life sciences and new technologies can have a massive effect on improving people’s healthcare, such as the development of treatments like Orkambi for people with cystic fibrosis. Will the Secretary of State make it an important priority to cut through the impasse between NHS England and the manufacturer, Vertex, so that people with cystic fibrosis can finally get access to the drugs they need?
Mr Speaker: As the Clerk advises—his is the intellectual copyright—the hon. Gentleman has used his intelligence artificially to shoehorn his preoccupation into a question to which it has no other relation. But he has got away with it on this occasion, as it is the last day and we are all in a summer mood.

Matt Hancock: I welcome the power of new technologies to bring new drugs to the table. NHS England has made a very generous final offer to the manufacturer of Orkambi. Having spoken to those involved again over the past couple of days, I understand that a meeting has been offered to the company but not taken up. The company can break this impasse by accepting the very generous offer on the table.

**Children's Mental Health: Social Media**

19. Mary Robinson (Cheadle) (Con): What steps his Department is taking to help protect children's mental health from the harmful effects of social media. [906625]

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): Our chief medical officer is leading a systematic review of international research to improve our understanding of social media use and children's mental health. We are also working with the Department for Digital, Culture, Media and Sport to consider what more can be done to reduce potential harm to children's mental health from social media. This is being done through the Government’s upcoming internet harms White Paper, which is due later this year.

Mary Robinson: The longer people spend online, the more likely they are to experience cyber-bullying. Research by Childline, a service of the National Society for the Prevention of Cruelty to Children, shows that the number of young people seeking counselling as a result of online bullying has increased by 88% in just five years. What are the Government doing to improve research on this issue and to better understand the potential harms?

Jackie Doyle-Price: My hon. Friend is right to highlight this, but it is worth bearing in mind that there are also positive effects from engagement on social media. The relationship between social media use and its impact on mental health is not conclusive. That is why the chief medical officer is carrying out a review of all the evidence in this area, so that we can understand and shape future policy. That report will be due next year.

Luciana Berger (Liverpool, Wavertree) (Lab-Co-op): The Government acknowledge that we are seeing an increase in the number of children suffering with their mental health. We have only to look at the figures on the number of children turning up at accident and emergency in a crisis to know that that is the case. This is a serious state of affairs. Why then are the Government releasing their response to the consultation on the Green Paper on young people’s mental health later this week, when we are in recess, and thus avoiding scrutiny in this House?

Jackie Doyle-Price: Respectfully, I say to the hon. Lady that this is a response to the consultation on the Green Paper, which has had considerable debate in this House. The suggestion that we have avoided scrutiny really does not pass.

Bim Afolami (Hitchin and Harpenden) (Con): Thank you for calling me, Mr Speaker; news of my death has been greatly exaggerated, Sir.

I thank the Minister for her previous reply. She will be aware that there is considerable concern about certain images on social media, particularly those relating to self-harming, and the effect they have on young people’s mental health. Will she set out the Government’s response in dealing with this issue?

Mr Speaker: I know the hon. Gentleman, who has returned to the Chamber in rude health, is in fact deeply grateful to me for my generosity in accommodating him, notwithstanding his rather eccentric disappearance, and the fact that he did not mention it was a mere oversight.

Jackie Doyle-Price: I can confirm that the Government will be publishing their online harm White Paper by the end of this year to address the very subject my hon. Friend mentions.

Chris Elmore (Ogmore) (Lab): I have asked the previous Secretary of State whether he would agree to engage in my all-party group inquiry on social media and the impact on young people’s mental health. May I ask this Minister to go a step further and engage in our oral evidence sessions, which are starting when the House returns in September, about how we can find solutions to the problems that the impact of social media causes to young people’s mental health?

Jackie Doyle-Price: I would be more than happy to engage with the hon. Gentleman and the all-party group on this issue, because it is important we do as much as we can to learn and to get as much evidence as possible in this area.

South Tees CCG

21. Anna Turley (Redcar) (Lab/Co-op): If he will ensure that funding for services commissioned by South Tees clinical commissioning group will not be reduced as a result of that group being placed in special measures. [906626]

The Minister for Care (Caroline Dinenage): I reassure the hon. Lady that the level of funding allocated to South Tees CCG will not change as a result of the group being placed in special measures.

Anna Turley: I appreciate the Minister’s reply, but does she agree that, instead of dismissing this as a failure of bookkeeping, as her colleague in the Tees Valley has done, she should look carefully again at the rising demand in our area and at the unique challenges we face as a result of high levels of deprivation, ageing demographics and the economic shock we suffered three years ago? Will she look again at a fairer funding allocation to make sure that we can serve everyone’s needs in the Tees Valley?

Caroline Dineneage: The hon. Lady is absolutely right to raise this issue. Prevention is a key aspect of the new Secretary of State’s focus as the Department moves forward. NHS England will support all CCGs that are in special measures to return to financial balance. It
also provides a bespoke package of support, along with a higher level of monitoring and oversight, to ensure that the money is always spent wisely.

**Topical Questions**

T2. [906632] Patrick Grady (Glasgow North) (SNP): If he will make a statement on his departmental responsibilities.

The Secretary of State for Health and Social Care (Matt Hancock): We have proposed £20 billion more funding for the NHS to guarantee its future, and I am looking forward to working with everyone in the NHS and the social care system on a long-term plan to ensure that that money is well spent. Today, we have published for the House the 2018-19 pay settlement for doctors and dentists. It represents the highest pay settlement since 2008. I regard it as a first step and look forward to a wider conversation on pay and improvements to help to make the NHS the best employer in the world.

Patrick Grady: Will the Secretary of State update the House on the progress of Baroness Cumberlege’s review of the use of mesh implants? Will he confirm whether the inquiry will liaise with the Scottish Government and whether it will hold any evidence sessions in Scotland? There are plenty of women, including some in my constituency, who had operations in England but now live in Scotland. Their voices must be heard in the inquiry.

Matt Hancock: Yes, the hon. Gentleman is absolutely right. We published information on this issue just last week. We absolutely will consult the Scottish Government and all interested stakeholders. It is a very important matter to get right.

T5. [906636] Tim Loughton (East Worthing and Shoreham) (Con): Last year, 7.3 million people were prescribed antidepressants, including more than 70,000 children. That is an increase of more than 500% in the past 20 years. In welcoming the Secretary of State’s announcement on social prescribing, may I, as co-chair of the all-party group on mindfulness, ask him what part mindfulness and other evidence-based non-drug options will play in the strategy? Would he like to undertake a mindfulness course, and in doing so join the now more than 150 other MPs and Lords who have done so at Westminster?

Matt Hancock: I would be absolutely thrilled to. I have previously participated in mindfulness training. In fact, the former chairman of my local Conservative association became a mindfulness instructor, which shows how much we take it seriously locally. I pay tribute to my hon. Friend’s work on this issue. He will have seen that, even in my first two weeks in this role I have already spoken out in favour of moves towards social prescribing and the broader prescribing of less intervention and less medicinal methods, where possible, because medicines do of course have their place. The work that he has done on this issue over many years is to be applauded.

Jonathan Ashworth (Leicester South) (Lab/Co-op): I welcome the Secretary of State to his post. May I take a moment to thank all the NHS and social care staff who are caring for vulnerable patients in this intense summer heat?

The new Secretary of State inherits waiting lists at 4.3 million, with more than 3,000 patients waiting more than a year for an operation. He inherits a situation in which 1,700 patient requests for hip and knee operations have been refused, and in which patients in Sussex are now expected to endure “Uncontrolled, intense, persistent pain” for six months before they receive hip or knee treatment. Does he consider such increased rationing to be fair?

Matt Hancock: I am grateful to the hon. Gentleman for his welcome. Like him, I pay tribute to the work of NHS and social care staff in this summer heat. There are of course pressures on the NHS—I fully acknowledge that—and he raises a couple that I have already raised with NHS England. What he did not mention was that since 2010 there are 6,000 more operations every day and 1,800 more emergency admissions every day.

Jonathan Ashworth: Since 2010, the NHS has suffered the biggest financial squeeze in its history, and the rationing that I referred to is a consequence of that squeeze.

Let me ask the Secretary of State about general practice, which he will know is facing a severe workforce crisis, with GP numbers down by 1,000 and many GPs worried about the patient safety implications of the Babylon app, which we have already discussed this morning, and its funding implications for their model of practice. When Babylon itself admits that it is still testing it out, when Hammersmith and Fulham CCG says that “there is evidence of concern regarding the risk to patient safety” of expanding the service, and when Birmingham and Solihull CCG questions whether Babylon can operate in an effective and safe manner, why does the Secretary of State dismiss concerns about patient safety and say that the rules simply need to be updated? Will he tell us what specific rules will be updated to allay concerns about patient safety?

Matt Hancock: It is almost as if it was not just my hon. Friend the Member for Hitchin and Harpenden (Bim Afolami) who popped out, but the shadow Secretary of State, who obviously was not here for the earlier discussion. Getting more resources and increased resources into primary care and to GPs in particular is absolutely mission critical to the long-term sustainability of the NHS. I am delighted that there is record GP recruitment at the moment and that the work that has been done to increase GP training is bearing fruit. On the question of new technology, as we discussed over a series of questions earlier, yes, it is important to make sure that it works well and that the rules are right but, if we turn our backs on new technology, we are turning our backs on better care.

Robert Halfon (Harlow) (Con): I congratulate my right hon. Friend on his new position. Despite having incredible NHS staff, our hospital in Harlow, the Princess Alexandra Hospital, is not fit for purpose in terms of its building. We desperately need a new hospital. Will he visit Princess Alexandra Hospital as Secretary of State and will he please make sure that we get the new hospital that we urgently need in the constituency of Harlow?
Matt Hancock: I pay tribute to the work that my right hon. Friend has done over many years making the case for his hospital, which I have heard loud and clear. I always enjoy visiting Harlow, especially when I am his guest. I hear the case that he puts and look forward to visiting soon.

T3. [906633] Lilian Greenwood (Nottingham South) (Lab): Last month, a constituent contacted me about the care of her adult son who needed to be admitted to hospital under the Mental Health Act 2007. She was told that no beds were available anywhere in the country. The following day, a bed was identified but when, after three hours’ wait, the ambulance had not arrived, the bed was filled by another patient. Three days later, he was finally admitted to hospital. The head of mental health at Nottingham City Council told me that this is not an infrequent occurrence. Secretary of State, how is this an acceptable standard of mental healthcare?

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): Clearly, the sequence of events that the hon. Lady has outlined is completely unacceptable. We have obviously set out clear expectations on NHS England to commission sufficient beds to enable local placements where possible and specialist care where a more acute service is required. It is up to NHS England to ensure that sufficient services are commissioned and I will readily take up that case with NHS England.

Nicky Morgan (Loughborough) (Con): I welcome my right hon. Friend to his new position.

On Friday, a retired NHS consultant visited my surgery to talk about carpal tunnel syndrome. It appears that some of the operations are not going to happen now, and he said that they can happen at general practice level for about a third of the cost that they happen at hospital level. Is there an opportunity, yes, to save money but also to do things better by moving surgery out to community facilities? Can we explore such opportunities before these decisions are taken?

The Minister for Health (Stephen Barclay): My right hon. Friend raises an important point about ensuring that procedures are done in the right place at the right cost, but primarily in a way that is best for the patient. I am happy to meet her to discuss the specifics of that and to see whether a change can be made.

T4. [906634] Ellie Reeves (Lewisham West and Penge) (Lab): Despite previous reassurances from Health Ministers, I continue to receive reports from constituents of waiting times for referrals to child and adolescent mental health services in excess of nine months and, with an extremely high threshold for support, many are turned away. The Government spend less than 1% of the NHS budget on children’s mental health. When will the Department stop failing our children and give CAMHS the investment that it desperately needs?

Jackie Doyle-Price: The hon. Lady will be aware of the proposals that we have in the children and young people’s mental health Green Paper. We have very ambitious plans to roll out a whole new workforce to work in schools to support children at an earlier stage of mental ill health. Why have we been making these proposals that we readily admit that an insufficient number of children are able to access services at present, and that is why we are making this investment.

Martin Vickers (Cleethorpes) (Con): My constituent, Aaron Winstanley, from Barton-upon-Humber is currently in Germany receiving immunotherapy treatment for a rare form of cancer. The local community has reacted magnificently, raising around half of the £300,000 that this treatment costs. Could the Minister outline what is being done to introduce this treatment into England?

The Parliamentary Under-Secretary of State for Health and Social Care (Stevie Brine): I wish my hon. Friend’s constituent well and pay tribute to the money that the local community has raised. I will connect with my hon. Friend to the office of Cally Palmer, the national cancer director. As we write the new long-term plan for the NHS—to which the cancer stream is so central—we will ensure that innovative new technologies and treatments that were not thought of even a few years ago are also at its centre.

T6. [906638] Liz Twist (Blaydon) (Lab): Three times more people die by suicide each year than in road accidents. Today, Samaritans volunteers across the UK are taking part in its awareness campaign, “The Big Listen”. What action is the Secretary of State taking to ensure that local agencies are encouraged and resourced to carry out awareness-raising work to get out the message that suicide is preventable, not inevitable, in line with NICE’s draft guidelines?

Jackie Doyle-Price: I thank the hon. Lady for her dedicated work on this issue. She is right to pay tribute to the work of the Samaritans, and the Department is pleased to do everything that we can to support the Samaritans in this area. Our real tool for tackling suicide is to ensure that the local suicide prevention plans are up to spec to deliver a reduction in suicides. We will be taking steps properly to interrogate the quality of the plans so that we can deliver against the guidelines.

Chris Green (Bolton West) (Con): I welcome the Secretary of State to his position, especially given his background in data and digital. What is he going to do to improve NHS data management to enable its use to develop the next generation of drugs and medical technologies to deliver better health outcomes?

Matt Hancock: That is a great question. Not only can technology improve in health settings; there are even greater opportunities on the research side. Getting the data structures right is mission critical, but there is so much more that we can do.

T7. [906639] Nick Smith (Blaenau Gwent) (Lab): To help to reduce childhood obesity, 76% of people support a ban on junk food adverts before 9 o’clock, but the consultation on this is going into the middle distance. Critics would say that the Government are dragging their feet. By when will we see this ban finally put in place?

Matt Hancock: We announced that we will be consulting less than a month ago. I have been closely involved in this in my previous role, as well as in this one. We will ensure that we take an evidence-based approach, but I am determined that we proceed.
Huw Merriman (Bexhill and Battle) (Con): Will the Secretary of State come down to East Sussex to view the Better Together partnership, which puts health and social care together?

Matt Hancock: How could I say no? The integration of health and social care is vital and long awaited, and there is so much to do.

Ann Clwyd (Cynon Valley) (Lab): As someone who is about to have a knee operation, may I tell the Secretary of State that it is a painful thing to wait for and that people should not have to stay on waiting lists for long periods of time? My question is about hospital medical staff. *Western Mail* carried out a survey to look at the effect of EU nationals leaving the national health service because of Brexit. It found one health board saying that there were 1,200 more nurses than there were four years ago, and another saying that there were 1,400 fewer. No one seems to be able to tell us with absolute certainty the numbers of these staff in the health service.

Matt Hancock: I listened carefully to the right hon. Lady because she has long been a campaigner on health issues, and I very much take her point about knee operations. Of course, the number of EU nationals working in the NHS in England has risen by over 4,000 since the referendum. I know that there are concerns in specific areas, but I hope that we can all take reassurance from the fact that that number has continued to rise. We are determined to ensure that the NHS has the workforce that it needs.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): I welcome the Secretary of State to his place. I encourage him to visit the most rural part of England, up in Northumberland, to see for himself the challenges to healthcare provision due to the lack of a real rural financial formula. Will he update my constituents and the Save Rothbury Hospital campaign on how the review for that community hospital is going? That sort of low-level care is what makes the difference.

Stephen Barclay: I am happy to discuss with my hon. Friend how we provide support. Addressing the fact that 43% of patients in acutes do not actually clinically need to be in hospital is a key objective of the long-term plan to ensure that we get the right community services and relieve pressure from acutes.

Several hon. Members rose—

Mr Speaker: I am sorry, but as in the national health service—under Governments of whichever colour—demand massively outstrips supply. I have tried to extend the envelope, but we must now move on. [Interruption.] I heard the shadow Chancellor’s observation from a sedentary position, which may well be recorded in the *Official Report*. We now move on to the urgent question.
Public Sector Pay

12.44 pm

Peter Dowd (Bootle) (Lab) (Urgent Question): To ask the Chief Secretary to the Treasury if she will make a statement on the public sector pay announcement.

The Chief Secretary to the Treasury (Elizabeth Truss): I am delighted to have this opportunity to discuss today's announcements of public sector pay rises.

Last September, I informed the House that we would scrap the cap, and now we are delivering on that commitment. What we are announcing today amounts to the biggest pay rise in almost 10 years for about 1 million public workers across Britain, including teachers, armed forces personnel, prison officers, police, doctors and dentists. This comes on top of the positive news we were able to announce in March that 1 million nurses, midwives, porters and other NHS staff would receive a 6.5% pay rise over three years. That deal was a benchmark example of where high pay awards are agreed in return for modernisation of terms and conditions.

We were able to announce these pay rises thanks only to the hard work of the British people, which has brought down the deficit by over three quarters and allowed us to reach the point where the debt will begin to fall this year. We did not listen to the siren calls from the Opposition for damaging splurges, and that is why today we are able to scrap the cap and increase public sector pay. These new pay deals represent what this Government are about. They are affordable and responsible, while making sure that we continue to provide the public with world-class public services. They also reward our hard-working public servants.

It is great, on the final day of this Session of Parliament, that we are able to give every person who works in the public sector positive news on which to enjoy their summer.

Peter Dowd: These uninhabited proposals will do nothing to repair the damage done to our brilliant public sector workers by this Government's slash-and-burn policy in relation to public sector pay. Over the past seven years, our teachers have lost £2,500, our firefighters £3,000, our prison officers £4,000 and our paramedics £4,000 in real-terms pay cuts. Even the armed forces personnel, prison officers, police, doctors and dentists are all being offered a further real-terms pay cut. Even the hard-working teachers on a £38,000 salary seeing a £760 pay rise. Even a constable on a £38,000 salary seeing a £760 pay rise. Police officers will see a 2% rise and a 0.75% bonus, with extra for those who are new recruits. Junior doctors will get at least a 2% pay rise, and the hard-working people in our armed forces will receive a 2% pay rise and an additional 0.9% bonus, to reflect the brilliant work they do for our country.

Yet the Government think it is enough to announce the pay rises with a run on the pound, but I want to hear the answer or not?

Elizabeth Truss: Yet again, we hear from a Labour Front Bencher not a positive welcome of the news today, which will mean hundreds of pounds more in the pay packets of public sector workers, but yet more complaints and no solutions.

We have scrapped the cap, and we are making sure that public sector workers get a decent pay rise. Let me tell the House what that will mean for workers in the public sector. For teachers earning under £35,000, it will mean a 3.5% pay rise, earning them an extra £800 a year. Police will see a 2% rise, with the average police constable on a £38,000 salary seeing a £760 pay rise. Prison officers will see a 2% rise and a 0.75% bonus, with extra for those who are new recruits. Junior doctors will get at least a 2% pay rise, and the hard-working people in our armed forces will receive a 2% pay rise and an additional 0.9% bonus, to reflect the brilliant work they do for our country.

Mr Speaker: Order. I think the hon. Member for West Ham (Lyn Brown) is the author of a newly published book entitled “Summer Rage”, but if I may say so, the launch party can wait until after today.

Elizabeth Truss: I was diligently trying to answer the hon. Gentleman’s question, and I hope that he will listen to the answer.

We will be allocating a further £500 million from central Department for Education budgets to schools, to make sure they are able to give these pay rises to our hard-working teachers. In every other case, Departments have been able to find savings in their central budgets to make sure those pay rises are affordable. It is a bit rich getting lectures from the Labour party about affordability when its purported policy, along with overthrowing capitalism and making business the enemy, is to create a run on the pound. I do not know whether the hon. Gentleman can explain how his party could afford public sector pay rises with a run on the pound, but I would like to hear his answer.
The pay rises we are announcing today represent the highest pay rises for almost a decade for public sector workers. We have been able to achieve them because of our management of the economy, because we have seen employment reach a record level and because we are spending less in areas such as welfare, whereas people under the Labour Government were left on the scrapheap. Please can the Labour party welcome the fact that public sector workers are getting a pay rise and that we have scraped the cap, rather than continuing with their usual Eeyorish nonsense?

Rachel Maclean (Redditch) (Con): Like my right hon. Friend, I am rather surprised to hear the noise from the Opposition Benches. If we were to follow the policies of the right hon. Member for Hayes and Harlington (John McDonnell), we would see inflation of 1,000,000%, such as they have in Venezuela—a country that he suggests we all follow the example of. I welcome the pay rises that we will see for teachers in my schools in Redditch. Can my right hon. Friend tell me again how much teachers will receive, and can she emphasise the fact that those on the lowest incomes will receive the most?

Elizabeth Truss: My hon. Friend is right; teachers on the lowest incomes will receive the largest rises. All teachers earning less than £35,000 will receive a 3.5% pay rise, and the Secretary of State for Education is making sure that schools have the money to afford that. Teachers in the upper pay range will receive a 2% pay rise.

Chris Stephens (Glasgow South West) (SNP): The key test of whether the public sector pay cap has been removed is how the Government treat their own civil servants. Can the Chief Secretary to the Treasury confirm that each UK Department was given funding for a 1% increase in civil service pay? Can she confirm that the pay remit guidance issued by the Cabinet Office for civil service pay allows pay rises of 1% to 1.5%? Can she tell us what pay rises civil servants who are not covered by a pay review body can expect this year? Finally, will the 220 Ministry of Defence staff in Scotland who are not being paid the living wage finally get £8.75 an hour?

Elizabeth Truss: My right hon. Friend for Education. This is affordable for schools, but most importantly, it is fair for teachers, and those who are earning under £35,000 will get a 3.5% pay rise.

Alex Burghart (Brentwood and Ongar) (Con): Thanks to the decisions that have been made in Essex, we will see 150 new police officers on our streets. Can the Chief Secretary confirm that those new police officers will benefit from today’s announcement?

Elizabeth Truss: My hon. Friend is right. I am delighted to hear the news about the police force in Essex. Those police officers will receive a 2% rise and, in addition, they will get increments as they move up the pay scale, so many will see a rise in excess of that.

Kate Green (Stretford and Urmston) (Lab): Cuts to school budgets have meant that some schools have had to make cuts to payments for support staff such as lunchtime assistants, for example, including by removing their holiday pay. How will today’s announcement benefit those lowest paid workers who have already suffered?

Elizabeth Truss: Last year we announced that we were putting £1.3 billion more into schools’ budgets to help them to cope with the issues they were facing. That represents a real-terms increase from 2015. Today we have announced an additional £500 million to support these pay rises for teachers. I say to the hon. Lady: let us look at the school results, such as the fact that our nine-year-olds are now among the best in Europe at reading. It is because of this Government’s reforms that we are seeing better results.

Robert Halfon (Harlow) (Con): I strongly welcome the extra money for lower-paid teachers. May I ask my right hon. Friend where the £500 million will come from within the Department? The Department has already had to make efficiency savings, given the extra £1.3 billion that has gone to schools.

Elizabeth Truss: It is important that schools receive the extra money so they are able to afford those pay rises. The money is coming from central DFE budgets—underspends in central DFE budgets—and it will be allocated to schools. My right hon. Friend the Education Secretary will talk about the allocation in due course.
Stephen Morgan (Portsmouth South) (Lab): The Chief Secretary says that our armed forces will receive a 0.9% one-off payment, but there is no clear timeframe. Will she tell us exactly when armed forces personnel will receive that payment?

Elizabeth Truss: Personnel will receive that payment alongside their 2% pay rise this year. Many armed forces personnel will also receive pay increments—we saw an average of 1.3% last year—on top of the bonus and the pay rise.

Mike Wood (Dudley South) (Con): What assessment has my right hon. Friend made of the announcement’s impact on the recruitment and retention of prison officers?

Elizabeth Truss: My hon. Friend makes a very important point. Prison officers will receive a 2% rise and a 0.75% bonus. Prison officers who were newly recruited on fair and sustainable terms will receive additional progression pay to make sure that we retain those really important workers.

Wera Hobhouse (Bath) (LD): Why have the Government announced that school leaders’ pay will continue to be cut in real terms, given that the School Teachers Review Body said that a 3.5% increase was needed across all pay ranges to prevent ‘deteriorating’ trends in teacher retention?

Elizabeth Truss: It is very important that we focus the pay rises on the lowest-earning teachers, which I think would be supported across the education system. Where pay rises on the lowest-earning teachers, which I think would certainly be announced in due course by my right hon. Friend the Education Secretary, I welcome my hon. Friend’s welcoming of the good news, unlike Labour Members, who are still looking extremely gloomy.

Kevin Foster (Torbay) (Con): I welcome the news of the 3.5% pay rise for lower-paid teachers in Torbay. Will the Chief Secretary commit to work with the DFE to publish how the funding will be broken down by local authority so that we can clearly see how this is being funded?

Elizabeth Truss: I thank my hon. Friend for his question. How the additional funding will be allocated will certainly be announced in due course by my right hon. Friend the Education Secretary. I welcome my hon. Friend’s welcoming of the good news, unlike Labour Members, who are still looking extremely gloomy.

Ruth Smeeth (Stoke-on-Trent North) (Lab): I am delighted that the Chief Secretary and the Government have finally seen sense and dropped the cap. However, there is already a £20 billion black hole in the MOD budget. How exactly is it going to pay for this?

Elizabeth Truss: The hon. Lady is the first Opposition Member to welcome the pay rise, so I thank her for her support for public sector workers and for the pay rise we are giving them. I am working very closely with the Justice Secretary to make sure the pay rise is affordable within the Ministry of Justice budget. [Hon. Members: “Defence!”]

Tim Loughton (East Worthing and Shoreham) (Con): The budgets of West Sussex schools are hugely under pressure and will be completely shot unless this pay award is completely funded centrally. Will the Chief Secretary guarantee that it will be completely funded centrally? What assessment has she made of the impact on the DFE’s budget for children’s social care, which is already facing a predicted shortfall of £2 billion by 2020?

Elizabeth Truss: My hon. Friend mentions the funding for teachers’ pay rises. Beyond the 1%, the pay rise will be fully funded centrally, as will be announced by my right hon. Friend the Education Secretary. I thought the hon. Member for Stoke-on-Trent North (Ruth Smeeth) referred to the MOJ, but apparently she was talking about the Ministry of Defence. The modernising defence review is going on at the moment, and I am working on that very closely with my Defence colleagues to make sure that this remains affordable.

David Linden (Glasgow East) (SNP): The Chief Secretary talks about putting more money into people’s pay packets, so will she tell us when under-25s will be paid the national living wage?

Elizabeth Truss: This Government have achieved some of the lowest levels of youth unemployment for years. Under the Labour party, people were left on the scrapheap and we had rising youth unemployment, with up to 20% of our young people unemployed in 2010. What is important is that while people are training and gaining skills, it remains affordable for companies to take them on.

Tom Pursglove (Corby) (Con): I very much welcome these pay awards. Will the Chief Secretary say a little about the difference that taking millions of people out of income tax altogether will make in tandem with these pay awards?

Elizabeth Truss: My hon. Friend makes a very good point. We have seen disposable incomes—the money people have to spend—increasing under this Government because we have cut tax for basic rate taxpayers by £1,000 a year. We know that the Labour party wants to raise tax to the highest peacetime levels, and the reality of that would be less money for hard-working public and private sector workers.

Clive Efford (Eltham) (Lab): Not one of the examples that the Chief Secretary announced is above the consumer prices index inflation rate of 2.4%. This is a real-terms cut for public sector workers. The secretary of the Unison branch at my town hall wants to know the Chief Secretary’s message for his branch members. How are they meant to survive when they are facing yet again—as they have year on year, for the past eight years—a real-terms pay cut?

Elizabeth Truss: The vast majority of the numbers that I announced are above inflation, but the hon. Gentleman clearly did not hear that. I would point out that these pay awards are for the period 2018-19. We are seeing inflation fall, and many of the awards represent increases significantly above that.

Huw Merriman (Bexhill and Battle) (Con): I asked the Chief Secretary and the Secretary of State for Education to ensure that the well-deserved pay rises for teachers did not come from the existing budget increases, so may I thank them both for ensuring that? My teachers...
deserve a pay rise, but they do not want school classrooms to suffer. May I also ask whether headteachers will be in receipt of the 2% increase mentioned for higher-rate teachers?

**Elizabeth Truss:** As we have said, pay rises above the 1% that was previously budgeted for will be funded from central DFE budgets. [Interjection.] To the hon. Member for Wythenshawe and Sale East (Mike Kane), who is shouting from a sedentary position, I say that the funding will be not from schools budgets, but from central DFE budgets. We are moving this money to the frontline to make sure that teachers are properly supported. The rate for headteachers is 1.5% but, as I have already said in answer to the hon. Member for Bath (Wera Hobhouse), there is flexibility where there are recruitment issues.

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): If these pay rises are from departmental cuts, this will mean no new money, which will result in further public services being lost and redundancies to follow. Does the Chief Secretary agree?

**Elizabeth Truss:** I think that the fastest way to have redundancies is to create a run on the pound and overthrow capitalism.

**Caroline Flint** (Don Valley) (Lab): This pay award comes on the back of 10 years of pay freezes, which are fundamentally cuts. What can the Minister say to reassure people that, under this pay award, they will not actually see a pay decrease in the years to come?

**Elizabeth Truss:** We have gone through a tough period in the aftermath of the financial crash, and the public sector has made a contribution. We are now at a turning point, with debt falling as a proportion of GDP. It is because of the hard work that has been done that we are now able to afford these pay rises, which are well deserved.

**Matt Rodda** (Reading East) (Lab): The Chief Secretary talks about this alleged increase, yet she fails to discuss where it is coming from. What guarantee can she give to my constituents, who expect two new schools to be built in Reading East, that those schools will not be raided to pay for the pay rise?

**Elizabeth Truss:** Our programme of spending £23 billion on schools capital will continue. This is about finding efficiencies in our central Government budgets. I know the Labour party does not understand value for money, but that is what we are doing, so that we can put more money into schools and teachers’ pay.

**Sammy Wilson** (East Antrim) (DUP): The Minister will be aware that an aspect of our confidence and supply discussions with the Government involved raising the pay cap; we welcome the statement that she has made. However, given the fact that there is no Assembly functioning in Northern Ireland, what discussions has she had with the Secretary of State for Northern Ireland to ensure that the money is made available from departmental budgets and, secondly, that the decision is made to award these payments to teachers and nurses?

**Elizabeth Truss:** As usual, the money for this pay will be allocated through the Barnett formula, but the money is coming from the central DFE budget.

**Rachael Maskell** (York Central) (Lab/Co-op): How exactly will further education colleges be able to give their staff an uplift?

**Elizabeth Truss:** The hon. Lady will understand that we are conducting a review of further and higher education, and that is among the issues that we will be looking at.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): Teachers’ pay is not devolved to Wales until September 2019, so can the Chief Secretary confirm that the British Government will make the appropriate transfers to Welsh local education authorities to pay for the increase?

**Elizabeth Truss:** I understand from my colleagues in the Department for Education that this will also apply to Wales.

**Jack Dromey** (Birmingham, Erdington) (Lab): Past announcements on school budgets have unravelled within days, so is the Chief Secretary guaranteeing that every single penny to fund the teachers’ pay increase will come out of central budgets, not one single penny falling on school budgets? Does the Chief Secretary accept that this does not change the grim reality of 351 out of 354 Birmingham schools facing real-terms pay cuts and budget cuts over the next two years?

**Elizabeth Truss:** I have been very clear that the additional £500 million over two years will be coming from central DFE budgets. It will be allocated to schools. My right hon. Friend the Secretary of State for Education will be announcing exactly how that allocation will work in due course.

**Justine Madders** (Ellesmere Port and Neston) (Lab): Last week I was speaking to headteachers in my constituency who were very frustrated that they were breaking up for the summer unable to finalise their budgets. Now that they are able to do so, can the Chief Secretary guarantee today—I think that she has dodged this question a little bit today—that they will not have to find a penny from their existing budgets to fund the pay award?

**Elizabeth Truss:** I think that many Opposition Members are missing the point that headteachers have significant flexibility in terms of paying their staff. Last year there was an average rise of 4.6%, including promotions. The point I am making is that above the 1% pay award that was already baked in, the DFE is providing extra funding to the tune of £500 million. My right hon. Friend the Secretary of State will be announcing the allocations in due course.
Syria

1.12 pm

Alison McGovern (Wirral South) (Lab) (Urgent Question): To ask the Foreign Secretary what steps he is taking to save civilian life in the conflict in Syria.

The Minister for Europe and the Americas (Sir Alan Duncan): My right hon. Friend the Minister for the Middle East is travelling. I hope that the House will appreciate that Syria does not fall within my ministerial responsibilities, but I will of course endeavour to answer the urgent question and the questions that follow as best I can.

The situation in Syria is of course a humanitarian catastrophe. Over 400,000 people have been killed, and half of Syria’s 11 million population have been displaced. In these appalling circumstances, the UK has been taking all steps possible to save civilian life, and as the second-largest bilateral donor to the humanitarian response there since 2011, the UK is at the forefront of the response, by providing food, healthcare, water and other lifesaving relief. So far, we have committed £2.71 billion in response to the Syria conflict, which is our largest ever response to a single humanitarian crisis. Through our £200 million Syria Conflict, Stability and Security Fund, the UK has also provided a range of support to Syrian civilians and their communities to help save lives, bolster civil society and counter extremism. This includes our support to the White Helmets.

The White Helmet volunteers have played a particular role in saving over 115,000 lives during the conflict, at great risk to their own. They have faced particular protection risks as a result, with many killed while doing their work. It was for that reason that, as the Foreign and International Development Secretaries set out on Sunday 22 July, the UK has worked with our international partners to facilitate the rescue and relocation of a group of White Helmets volunteers and their families from southern Syria. We continue to call on all parties to protect civilians in the Syrian conflict. That includes using the multilateral organisations, including the United Nations Security Council, the UN Human Rights Council and the International Syria Support Group. The UK has also been at the forefront of efforts to strengthen global norms on chemical weapons and, of course, to deter their use.

Ultimately, there needs to be a political settlement to end the conflict. Syria’s future must be for Syrians to decide. The UK will be pragmatic about the nature of that settlement, and we will continue to support the UN process to achieve it.

Alison McGovern: Thank you, Mr Speaker, for granting this urgent question.

Yesterday, the Foreign Secretary and the International Development Secretary announced that the Government will help to provide safe passage for the White Helmets, as the Minister has said. They will come to the UK and other safe countries via Israel and Jordan. This is the latest development in a conflict that has been going on for seven years. We have watched as Assad’s barbaric regime bombards helpless civilians with barrel bombs and chemical weapons. The White Helmets are some of those who choose not to fight and it is correct, therefore, that we give them sanctuary. But before I ask about that specific announcement yesterday, I want to ask the Minister what more we will do, because the situation is urgent. There are three major problems that the Government need to give attention to.

First, there are several million people in the northern city of Idlib today. Hundreds of thousands of people have been pushed there by the Syrian regime, following the siege of Aleppo and the bombardment of other towns. These internal refugees are all now waiting for what comes next, and if Idlib is a repeat of Aleppo, the consequences for life—of children particularly—will be utterly horrific. I would like the Minister to explain what discussions are going on inside Government to respond specifically to that threat. As a member of the UN Security Council and one of the biggest aid donors to civilian protection in Syria, what efforts will the Government make now to deter Aleppo-style attacks on hospitals and schools, and how will we prevent further use of chemical weapons?

Many expect the Syrian Government to repeat its previous barbaric use of its bombs and its chemical weapons on Syrian civilians over the summer. I am simply asking the Government to do something to try to protect people.

Secondly, the Minister mentions the aid we have given, but we need to make sure it is getting into Syria. Last week, the hon. Member for Isle of Wight (Mr Seely) and I visited southern Turkey, where we met 20 or so Syrian doctors who had escaped Syria for a short while to receive training from British trauma surgeon David Nott. These doctors have a target on their backs just for doing their job—which is an impossible job to do but made immeasurably harder simply because they lack the basic supplies that British taxpayers have paid for to get to them. We need to make sure that we carry out diplomatic efforts to get that aid across the border.

The hon. Member for Isle of Wight and I brought back a letter from those doctors. They say in this letter that they are bracing themselves for a summer of death, so whether it is by doing all we can to deter the bombardment of Idlib, or simply using our influence, as I have said, to get supplies across the border to these doctors, we must help.

Finally, please can the Minister tell the House what support the White Helmets will now be offered? What will the scale of that help be? Will other vulnerable humanitarians in Syria be offered similar assistance? There are others from international NGOs trapped in Syria who require safe passage out. Can we guarantee resettlement for all of those who need it, and work with border countries to get them out and to the UK?

I know this is difficult. I know that there are many in this House who will simply say there is nothing we can do. But I think that with political will there is a way to help, and it will cost us very little to try. Surely, saving one life alone would be worth the attempt.

Sir Alan Duncan: I absolutely commend the hon. Lady, both for her question today and for the fact that she recently personally visited the region, along with my hon. Friend the Member for Isle of Wight (Mr Seely). She has thus seen at first hand what is going on, and speaks with authority in asking this urgent question.
There is no difference, I think, across the House; we all share a deep, basic human concern for the horror of this conflict, which has gone on for seven years. I recall its start when I was a DFID Minister, and was in the forefront of many of the fundraising conferences we had to try to turn as much as £1 billion on a sixpence at the beginning of the 2010 to 2015 Government, in order to focus on this sudden, ghastly—and now long-standing—conflict. We completely share the hon. Lady’s attitude and indeed much of her analysis.

First, on the White Helmets, this is a very important opportunity for us to issue our thanks and appreciation. They have been extremely brave. They are community-based civil society people, who put themselves at risk to do basic things, such as be first responders, clear the rubble and rescue the injured. They do so having been demonised in particular by the Russians, who have even accused them of carrying out chemical weapons attacks themselves.

It has been an absolutely remarkable feat of extraction to take the White Helmets out of southern Syria. We give enormous thanks to the Israelis for the efforts they made once requested by us, our international partners and the Americans. My right hon. Friend the Foreign Secretary, who had only been in the job for two days, was absolutely significant in discussing this with President Trump, when he was with the Prime Minister at Chequers, to try to persuade him to put a request to the Israelis to do it. Clearly, that has worked, and as a result many of hundreds of White Helmets and their families have been extracted from southern Syria.

The broader issue the hon. Lady describes is of course much more challenging. I totally understand what she says about the need, as she would put it, “to do something”. We are all frustrated at the difficulty of getting access for humanitarian purposes in territory that is increasingly controlled by the Syrians, the Russians and the Iranians. The delivery of the humanitarian aid we have on offer is perhaps more difficult now than it was when the conflict was at its height, because there are fewer pockets through which we can actually and easily deliver the aid we want to deliver. We are, for instance, talking to the hon. Lady’s former colleague David Miliband and the International Rescue Committee, which has its own people there, separate from the White Helmets. Wherever there are people delivering humanitarian aid, we want to give them maximum access and maximum protection.

On spending, we remain the second biggest donor in particular for the many very brave humanitarian workers and actors who have often put their lives on the line to support those caught up in this situation. As with the work done with the Israeli Government, they urgently need to be able to rely on the international community to help them specifically in the coming days and weeks.

Sir Alan Duncan: My right hon. Friend is absolutely right. He of course was at the forefront of the initial aid effort in Syria, when he was Secretary of State for International Development and I was his hard-worked minion in that Department, at the beginning of the conflict. He is absolutely right that we have to maintain access for humanitarian efforts. We have so far committed £2.71 billion in response to this crisis. We have provided over 27 million food rations, 12 million medical consultations, 10 million relief packages and over 10 million vaccines. We are going to continue with our efforts. At the Brussels conference in April, we pledged to provide at least £450 million this year and a further £300 million next year to help to alleviate the extreme suffering in Syria and to provide vital support to neighbouring countries, which have taken up so much of the consequential effects of this horrid conflict.

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you, Mr Speaker, and I apologise for my lateness.

Before I say anything else, I am sure the whole House will join me in sending our thoughts to those affected by the fires in Greece and the floods in Laos. We send our best wishes to the authorities in those countries which are responding to those tragedies.

Mr Speaker, thank you for granting this urgent question. I congratulate my hon. Friend the Member for Wirral South (Alison McGovern) on securing it and on bringing to the House such important and impassioned insights from her recent visit to the Turkish border, along with the hon. Member for Isle of Wight (Mr Seely). I can only endorse what she says in terms of the need to increase flows of medical supplies and equipment to those doctors and first responders working to save civilian lives in Syria. I thank the Minister for his response on that point, but I would like to reiterate one specific question asked by my hon. Friend, about the safety of the doctors. She talked about doctors feeling as though they had targets on their backs. I think that is something we need to respond to specifically.

As we all know, no amount of medical supplies and equipment will be sufficient if we reach the point in coming weeks where Assad and his foreign backers seek to capture not just Idlib but northern Latakia. If the assaults go ahead, the loss of life in those areas will be catastrophic, and the humanitarian crisis from civilians fleeing the violence will be just as devastating. The question is: what are we doing, in this country and as an international community, to prevent that from happening? I believe, as most Members do, that the only solution guaranteed to stop that loss of life and to end the suffering of the Syrian people is a peace deal brokered between all parties and predicated on the withdrawal of all foreign powers.

That, however, raises another grave question: who will broker such a deal? It simply cannot be left to the Russians, the Iranians and the Turks to stitch up an agreement between themselves, and it cannot be left to...
Vladimir Putin and Donald Trump to decide Syria’s fate in a room by themselves. We need the resumption of the Geneva peace process. We need all parties around that table and we need to protect the interests of all communities, including our Kurdish allies. against Daesh; otherwise, they risk being sold down the river once again. I therefore ask the Minister what progress is being towards the urgent resumption of those talks?

Sir Alan Duncan: I echo the right hon. Lady’s expressions of concern about the fires in Greece and the floods in Laos. She is of course absolutely right. We are all very saddened to learn that a country to which so many of our own citizens go at this time of year has already suffered 50 deaths as a result of raging fires in this period of very dry weather.

I omitted to respond to the hon. Member for Wirral South (Alison McGovern) on the question of the 21 doctors who had written to the Foreign Secretary. The letter has been received and has been passed to the Secretary of State for International Development, who will answer in due course in consultation with my right hon. Friend the Foreign Secretary.

The right hon. Lady is right that there can only be a political settlement, but there is no magic wand that the UK can wave on its own to try to solve the problem. It has been one of the most protracted and insoluble conflicts I have ever seen, as someone who has watched the middle east and the near east for over 30 years. It is the one to which there is no obvious answer, compared with so many of the difficult protracted differences that exist in the region. More territory is controlled now by Mr Assad and his associates than before. The right hon. Lady is absolutely right to say that Idlib and the north-west is now particularly vulnerable. We are perhaps seeing movements towards the foot of the Golan Heights near Quneitra where, if there is a conflict with the Israelis, it would obviously be very serious indeed. Ultimately, the solution is a political one. That means the United Nations and engagement of a sort with Russia, which I am sorry that Russian actions have put into reverse over the past few months. But a political effort with all responsible and interested countries is the only way to overcome this conflict.

Tom Tugendhat (Tonbridge and Malling) (Con): I am saddened to hear the Minister say that this will take a political solution, because, sadly, the solution we are seeing is not a political one. The solution we are seeing is being bought by ammunition on the battlefield, by violence and by force. Sadly, we are seeing it spread not just from the population centres we have seen in the past, but to areas like Idlib and down to the border.

The truth is that, if we are not willing to engage in a balance, if we are not willing to stand up to Russian and Iranian violence and to close off the routes for weapons to the Syrian regime, the political solution of which we speak will be bought on the battlefield and not around the table. Will my right hon. Friend at least concede that we should now be doing an awful lot to help the Turkish Government, who will be taking on vast numbers of refugees from Idlib, and the Jordanian Government, who are already bearing far more than their share of the burden?

Sir Alan Duncan: First, I pay enormous tribute to Jordan not only for helping with the extraction of the White Helmets, but for being prepared to take some of them, along with many tens, even hundreds of thousands of Syrian citizens, who, over the last few years, have gone to the likes of Jordan and Lebanon. Without the generosity of such neighbours, many, many people would be caught in the conflict by having to stay there. Those countries having admitted so many—actually, millions of—Syrian citizens is something that the world will be able to look back on over the years as a great humanitarian act. I totally agree with my hon. Friend. Friend about the necessity of trying to stop the flow of weapons, but in terms of doing anything on the ground or from the air, I hope that he will appreciate that it is not my role today to commit to any such action in the way he hints at in his question.

Peter Grant (Glenrothes) (SNP): Thank you for granting this urgent question, Mr Speaker, and I add my congratulations and thanks to the hon. Member for Wirral South (Alison McGovern) for the thoughtful, compassionate and very well-informed way in which she asked her questions. About 2.7 million refugees are in and around Idlib right now. They have all fled from other parts of Syria and have nowhere else to go. If Idlib turns into carnage, many of those 2.7 million people, including possibly 1 million children, will be left with no hope. As we have heard often enough, the situation is becoming desperate, and it is more desperate now than it has ever been.

I have often criticised Israel here and elsewhere in this building, so I have no hesitation on this occasion in commending and thanking Israel for the speedy and effective way in which they got so many of the White Helmets, and vitally, their loved ones, out of the danger zone. However, we should be under no illusions as to why the White Helmets and medics in Syria are in such danger: they will be the witnesses who bring Assad and his colleagues to account for crimes against humanity when, at some time in future, this horror on earth begins to settle down. It is so important to protect the witnesses who will hold the killers to account, so that those who commit mass murder will always know that they will be brought to justice sooner or later.

I have two questions for the Minister. First, a number of countries have established their own national mechanisms for the prediction and prevention of mass atrocities, either at home or elsewhere. The UK Government to date have not. Do they have any plans to join countries such as the USA in implementing such a strategy? Secondly, in December 2015, when the House was asked to agree military action in Syria, we were told that this would help to establish a provisional civilian Government in Syria, hopefully within six months. We are now two years past that expected date and a civilian Government of any kind is further away than ever. Have the Government done any assessment to establish why the predictions that they made in December 2015 were so catastrophically off-target, and what are they doing to make sure that similar predictions will be a bit more reliable?

Sir Alan Duncan: The hon. Gentleman is slightly unreasonable in saying that our predictions have to be reliable, in the way that he describes, as if it were entirely in our gift. We are dealing with a horrid, ghastly international conflict in which we are a player, in some
ways, but we are not there on the ground in a way that can influence things as he wants. However, there is one area on which I strongly agree with him—that is, the question of accountability. We are absolutely committed to supporting efforts to pursue accountability for human rights abuses and war crimes in Syria, and there undoubtedly have been such.

We strongly support the work of the United Nations’ IIIM—the International, Impartial and Independent Mechanism—which investigates and collects evidence of the most serious crimes committed in Syria. We have contributed £200,000 to the start-up costs of that organisation, and we are funding non-governmental organisations that collect evidence for future prosecutions. We are also supporting the important work of the independent UN Commission of Inquiry, which is reporting on violations and abuses, and we have been in the lead on successful diplomatic efforts to strengthen the capability of the Organisation for the Prohibition of Chemical Weapons to prevent the further use of chemical weapons and to attribute responsibility to those who might use them.

Alex Chalk (Cheltenham) (Con): The £2.71 billion contribution to the Syrian aid effort is the single biggest act of humanitarian assistance in our nation’s history. Will my right hon. Friend continue to ensure that a suitable proportion of that support goes to countries such as Jordan and Lebanon, which are doing such important work on the ground to provide life-saving support?

Sir Alan Duncan: My hon. Friend is absolutely right. From the very beginning of this conflict, when we were looking at so many displaced people, a significant fraction of the humanitarian aid—or at least, the DFID budget spending—went to surrounding countries that were so generously accommodating to those who had fled, so it is inevitable that a large part of that budget will continue to go to such countries. Of course, in an ideal world, we would like to see Syrians return to their homes, but those have been so devastated that people would be going back only to rubble in many cases. It is inevitable that a lot of displaced Syrians will remain outside their former country for a long time to come.

Sir Alan Duncan: The hon. Gentleman is very well experienced in this area and speaks with authority in the House. A lot of what the Russians have done is absolutely contemptible. They have continued close military co-operation with the regime, in spite of the atrocities committed by it, including the use of chemical weapons. To go back to what we were discussing earlier, they have demonised the White Helmets as bad people and agents of the west, and as people who have committed atrocities themselves, when in fact, they are the most generous-spirited, decent citizens that we could ever hope to find anywhere in the world, in many ways. The hon. Gentleman is absolutely right to draw the difference between what is right and what is wrong in this conflict.

Kevin Foster (Torbay) (Con): The war in Syria has haunting similarities to past conflicts when the international rules-based order was unable to deal with the parties taking part in them—including, in particular, the Spanish civil war. What reassurances can my right hon. Friend give me that, as rebel forces and refugees are driven towards Idlib, work will be done to ensure that we do not see that city become another Srebrenica?

Sir Alan Duncan: My hon. Friend, like other right hon. and hon. Members, is absolutely right to point out the dangers that face Idlib if, as it were, the forces of evil drive towards it and we see renewed conflict there. The international community has to focus very heavily on Idlib and make sure that it is not subjected to the kind of military assault that we must at all costs work together to avoid.

Ian Murray (Edinburgh South) (Lab): I commend the Government for their part in evacuating many White Helmets from dangerous areas. Will the Minister tell the House what action he will be taking in the coming days, weeks and months to locate, communicate with and evacuate many of the humanitarian workers in Syria who are trapped and at very high risk? Will he also commit today in this House, before we break up for the summer recess, that the UK Government will look very seriously at providing resettlement places in the UK for those aid workers?

Sir Alan Duncan: We have already offered places to some of the White Helmets and, in the past, if I am right, we have offered 20,000 Syrian resettlement opportunities in the UK. We are working, and will continue to work, with non-governmental organisations that will, as the hon. Gentleman rightly points out, have vulnerable people delivering humanitarian aid in Syria. It is essential that we know where they are and what they are doing and that we do everything we can on the ground, however limited it might be, to work with others to make sure they and their lives are protected.

Thangam Debbonaire (Bristol West) (Lab): This country’s resettlement scheme is good and well respected, and last year 6,200 Syrian refugees were resettled here, but 50% of the United Nations High Commissioner for Refugees’ estimated 1.2 million refugees worldwide are Syrian, and we can do so much more. We are one of the states parties signatories to the New York declaration of 2016. Sections 77 to 79 state our intention to expand resettlement and encourage other countries to do the same, but last year only 35 countries accepted resettled refugees, so will the Minister please commit to doing all he can both to expand our very good resettlement programme and to encourage others to do likewise so that more refugees come through safe and legal routes?

Sir Alan Duncan: The House and our voters can be rightly proud of what we have done since the beginning of this conflict seven years ago. Up to the end of March
this year, we had resettled more than 11,000 refugees through the vulnerable persons resettlement scheme. We will also resettle up to 3,000 children and their families from the middle east under the vulnerable children resettlement scheme; up to the end of March, we had resettled more than 700 refugees through the scheme. This is the cause to which we have given the largest ever amount from our own budgets, and we are the second-largest multilateral donor. Our original intention was to help people in and around Syria, so that they did not need to come here, but that has turned out not to be the case, which is why the UK is doing both. We can be proud that we are doing both to a considerable degree.

Tom Brake (Carshalton and Wallington) (LD): May I press the Minister about Idlib? What specific initiatives are the UK Government involved with now to try to ensure that, even if Idlib is not a safe zone, at least some protection is provided to civilians there, given we know they will soon be subject to a final assault that will involve barrel bombs or, worse, chemical weapons?

Sir Alan Duncan: We will work with our international partners to do whatever we can. The right hon. Gentleman is absolutely right about barrel bombs and chemical weapons. We have condemned their use and, as I said, have been at the forefront of strengthening the authority, power and reach of the OPCW in attributing any use of chemical weapons. This is not an easy issue to address. We agree that Idlib is looking very vulnerable, but I will be discussing this with my right hon. Friend the Minister for the Middle East, who is primarily responsible for these issues, and I have no doubt that there will be suitable occasions, when the House resumes in September and then again after the party conference season, to explain our policy in detail, as the right hon. Gentleman requests.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I want to thank the Minister for the Middle East, whom I met last week, with Lord Glasman, to talk about northern Syria in particular. It was a very fruitful meeting. We talked about the importance of getting medical attention to Kurdish fighters, particularly here in the UK. Will the Minister follow up and make sure that the Kurds are involved in any deal made around Idlib and Syria generally? They have not been included in some of the talks so far.

Sir Alan Duncan: I hear what the hon. Gentleman says about the Kurds and I will convey his views straightaway to my right hon. Friend, who I am sure will be in touch with him, as he has been already in the past.

Jim Shannon (Strangford) (DUP): I thank the Minister for his response this afternoon. Our Government have not been found wanting when it comes to aid, but can he outline the humanitarian aid currently going from the UK and who is monitoring how it is administered to ensure it gets to those who need it most?

Sir Alan Duncan: I have already explained to the House the quantum, if you like, which over the past few years has totalled £2.71 billion. It takes all sorts of forms—medical, vaccines, relief packages of food, water and so on to meet the basic needs of any human life or existence—but as always with humanitarian aid in a conflict, rather than a famine, the problem is access and humanitarian aid workers being attacked, blocked or prevented, or, even worse, accused of being parties to the conflict when quite clearly they are neutral humanitarian aid workers doing their best for human beings in difficulty. We will work with the UN and other countries and with the many brave organisations inside Syria that manage to get the necessary supplies to people who are desperately starving, thirsty and ill.
EU Withdrawal Agreement: Legislation

1.45 pm

The Secretary of State for Exiting the European Union (Dominic Raab): With permission Mr Speaker, I would like to make a statement on the White Paper published today setting out the Government’s plans for legislating for the withdrawal agreement and implementation period.

On Friday 29 March 2019, the UK will leave the European Union, giving effect to the historic decision taken by the British people in the 2016 referendum. The Government are committed to delivering a smooth and orderly Brexit. That is why we have already passed the European Union (Withdrawal) Act 2018—[Laughter.]

The shadow Foreign Secretary is laughing. She and her party voted against the Bill, thereby undermining her commitment to give effect to the referendum. We are ensuring that the statute book functions after exit, whatever the outcome of the negotiations. I am grateful to this House and the other place for the many hours of scrutiny devoted to that vital piece of legislation. We are now embarking on the next step in the process of delivering that smooth Brexit for the people and businesses of this country.

Since last June, the UK has been negotiating with the EU to decide on the terms of our withdrawal. We have made substantial progress—on protecting the rights of EU citizens in the UK and UK citizens in the EU, deciding the terms of the financial settlement and agreeing a strictly time-limited implementation period. Most of the withdrawal agreement—about 80%, according to the EU—has now been agreed with our EU partners, and we have isolated outstanding issues for further focused negotiation. I will be meeting Michel Barnier again on Thursday to take forward the negotiations at this critical time.

We have already agreed a financial settlement, estimated at between £35 billion and £39 billion, which is well below the figures bandied around by some when we started this negotiation. The implementation period will be finite and will allow for the negotiation and conclusion of free trade deals. Many of these arrangements will of course require new domestic legislation to deliver them into UK law. That is why, last November, we announced our intention to bring forward a new piece of primary legislation to implement the withdrawal agreement in UK law.

Today, we are publishing a White Paper setting out our proposals for this important legislation, which will be introduced once the negotiations have concluded and Parliament has approved the final deal. Our expectation is to reach agreement in October.

Under the terms of the European Union (Withdrawal) Act, Parliament will then have its say on the final deal. If it is approved, will we bring forward the legislation so that it can be in place for when we leave the EU on 29 March 2019. In setting out our proposals today, we are giving Parliament the opportunity to scrutinise our plans well ahead of the Bill’s introduction, given the need to enact the legislation in the time available and mindful of the importance of maximum scrutiny in this House.

By publishing the White Paper today, the Government are providing further certainty to people and businesses here in the UK and across the EU. It also sends a clear signal to the European Union that the United Kingdom is a reliable, dependable negotiating partner, delivering on the commitments it has made across the negotiating table. Of course, while we are making good progress, discussions are still ongoing in various areas, so some parts of the Bill will only become clearer as we settle the remaining parts of the withdrawal agreement. In the light of that, today’s White Paper focuses on those parts of the withdrawal agreement where the text is already agreed. I will take them in turn.

The UK’s first priority in negotiating its withdrawal from the EU was to reach agreement on the rights of citizens, including the 3.5 million EU citizens who live in the UK and who are valued members of their communities and play an integral part in the life of this country. Likewise, the approximately 1 million UK nationals who currently live in the EU are equally valued by their host countries and communities.

The agreement reached on citizens’ rights will allow EU citizens in the UK, and UK nationals in the EU, to live their lives broadly as they do now and enable families who have built their lives in the EU and the UK to stay together. The most important next step will be to provide a continued right of residence for those citizens. EU citizens lawfully residing in the UK on 31 December 2020 will be able to stay.

This month, the Home Office published further details about how EU citizens and their families can obtain settled status in the UK. That statement confirms that the settlement scheme will make it simple and straightforward for citizens and their families to secure long-term status in this country. The Bill will ensure that EU citizens can rely on the rights set out in the withdrawal agreement and can enforce them in UK courts. It will also establish an independent monitoring authority to oversee the UK’s implementation of the deal on citizens’ rights, thus providing further reassurance for citizens.

All EU member states must implement the agreement in full and provide certainty for UK nationals on the continent. As the Home Secretary stated recently, we now need to know more of the details of how each member state will fulfil its obligations and implement its side of the agreement. We will be pressing further for those details over the summer.

The next chapter of the White Paper deals with the strictly time-limited implementation period that the UK agreed with the EU in March. The UK will leave the EU on 29 March 2019. After that, the implementation period on which we have agreed will ensure that people and businesses will have to plan for only one set of changes as we move towards our future relationship. From 30 March 2019 until 31 December 2020, common rules will remain in place, with EU law continuing to apply, and businesses will be able to trade on the same terms as they do now. During that period, we will not be a member state and will have the flexibility that we need to strike new trade deals around the world—something that many argued we would not be able to achieve in the negotiations.

To legislate for the implementation period, we must ensure that the UK statute book continues to reflect the relevant provisions of EU law, as it applies to the UK during this time-limited period. As the House will know, the current mechanism for bringing EU law into UK law is the European Communities Act 1972. Under the European Union (Withdrawal) Act, the ECA will be repealed on 29 March 2019. As set out in the White Paper,
the EU withdrawal agreement Bill will contain a time-limited provision so that parts of the ECA are saved until 31 December 2020. Those changes will ensure that our statute book functions properly throughout the implementation period, in accordance with the agreement that we have made with the EU.

Let me now turn to the financial settlement, the structure of which was agreed in December on the basis that it would sit alongside our future partnership. As we have said from the start, nothing is agreed until everything is agreed. That is in keeping with article 50, and in keeping with the guidelines that have been given to the EU for the negotiation. We will have a framework for our future relationship with the EU, alongside the withdrawal agreement, and our approach to that future partnership is set out in the White Paper that we published earlier this month. There must be a firm commitment in the withdrawal agreement requiring the framework for the future relationship to be translated into legal text as soon as possible. It is one part of the whole deal that we are doing with our EU partners. Of course, if one party fails to honour its side of that overall bargain, there will be consequences for the whole deal, and that includes the financial settlement.

In addition, we have agreed an obligation for both parties to act in good faith throughout the application of the withdrawal agreement. The White Paper published today explains that the EU withdrawal agreement Bill will include a standing service provision to allow the Government to meet the commitments of the financial settlement. In the interests of transparency and oversight, the White Paper also includes proposals to enhance the existing scrutiny arrangements for the payments made to the EU.

The White Paper sets out our approach to delivering the withdrawal agreement and the implementation period into law, and I look forward to discussing all its proposals with Members in all parts of the House. It is a necessary part of leaving the EU and ensuring a smooth and orderly departure. It gives EU citizens living here, and part of leaving the EU and ensuring a smooth and orderly departure. It is a necessary part of leaving the EU and ensuring a smooth and orderly departure. It gives EU citizens living here, and part of leaving the EU and ensuring a smooth and orderly departure. It is a necessary part of leaving the EU and ensuring a smooth and orderly departure. It gives EU citizens living here, and part of leaving the EU and ensuring a smooth and orderly departure. It is a necessary part of leaving the EU and ensuring a smooth and orderly departure. It gives EU citizens living here.

Paragraph 56 of the White Paper states that “EU law will continue to have effect in the UK in the same way as now” for the implementation period—that is, until December 2020—but section 1 of the European Union (Withdrawal) Act, which took 18 months to get through Parliament and received Royal Assent only 28 days ago, repeals the European Communities Act on exit day, 29 March 2019. The implementation Bill will amend section 1 of the withdrawal Act by saving the ECA, as the White Paper makes clear in paragraph 60. So the ECA is repealed, and before that comes into force, it is amended and saved. The Secretary of State says that just “parts of the ECA” are saved until 30 December 2020, but that is a huge understatement. Almost all of it is saved, with amendments not to the applicability of EU law, but to collateral issues.

However, not just section 1 of the withdrawal Act now needs major surgery. The other big ticket item in the Act was the much-vaunted “conversion of EU law” into our law—again, fixed by the gimmick of the date of 29 March 2019. We warned that that would not work, because the gimmick gets in the way, so it is going to be rubbed out. Paragraph 69 of the White Paper makes it clear that the conversion exercise is now not needed until December 2020.

Then, of course, there is the European Court. Just a few weeks ago, many Brexiteers cheered section 6(1) of the withdrawal Act, which would extinguish the role of the European Court on the fixed date of 29 March 2019. But not so fast: as we said at the time would happen, paragraph 80 of the White Paper preserves the full role of the European Court until December 2020. Again, the withdrawal Act will need major surgery.

I cannot remember legislation that has needed such great revision and amendment before the relevant parts have even come into force. Of course, the provisions of the withdrawal Act that have come into force relate to delegated powers. During the 18-month passage of the European Union (Withdrawal) Bill through the House of Commons, it was acknowledged that it contained sweeping provisions packed with Henry VIII powers. They were supposed to be strictly limited by a two-year sunset clause. The White Paper now proposes that those clauses should be extended: sunset is now December 2022. On the face of it, paragraph 75 of the White Paper suggests that if there is no deal, the huge exercise of amending what will be hundreds of legislative provisions will be carried out through delegated legislation. I hope that that is not true, and I look to the Secretary of State for reassurance that that is not the implication of paragraph 75.

Then there is the elephant in the room: if there is no deal, there is nothing to implement. Can the Secretary of State tell us what is the legislative plan, to be in place by March next year, if there is no agreement on citizens’ rights—the Secretary of State said a lot about them—on the financial settlement, on Northern Ireland and on many other issues? If there are not to be sweeping delegated powers, what legislation will there be, and when, between now and March 2019?

There was no mention of Northern Ireland in the Secretary of State’s statement, and there is just a brief reference to it in the White Paper. I appreciate that elements of the Northern Ireland issue are still being discussed, but with nothing substantive on Northern Ireland, the White Paper contains a huge gaping hole.
There are proposals on the financial settlement. The Secretary of State now seems to be saying that the EU will have to fulfil its side of the bargain, or we will not pay up. We have been down this track before. The Chancellor has previously dismissed that approach by saying:

“That is not a credible scenario. That is not the kind of country we are. Frankly, it would not make us a credible partner for future international agreements.”

So which is it: has it been agreed, or are we back to conditionality?

I have heard what the Secretary of State says about the withdrawal agreement being reached by October this year, but he knows that he is in a minority here and in Brussels. If agreement is not reached until November or December, how will the Secretary of State ensure that there is proper scrutiny of the implementation Bill, and will he guarantee that it will not be packed with wide-ranging Henry VIII powers?

We have a White Paper and we have time to scrutinise it, but we also have serious questions that now fall to be answered.

**Dominic Raab: I thank the right hon. and learned Gentleman for his welcome for the White Paper in general. He will appreciate that the decision to publish it now was a finely balanced one because the negotiations are ongoing, but ultimately it was deemed more important and more respectful to this House to provide the information and consult as early as possible.**

On the right hon. and learned Gentleman’s point about the date of departure, I presume he welcomes and supports the implementation period. I have not heard any substantive suggestion how he might have done it differently; perhaps as he reflects he will have some, but otherwise calling the implementation period a gimmick when businesses have called for it and welcomed the certainty it provides is, I think, rather an indication that the Labour party is reverting to type.

The right hon. and learned Gentleman had nothing to say on citizens’ rights, nothing to say on welcoming the mechanism to secure the rights of EU nationals here and nothing to say on welcoming the mechanism to make sure UK nationals have their rights abroad protected. In relation to no deal, we will be prepared regardless of the outcome, as he knows. This is not the legislation being provided to that effect, as we are focused on getting the right deal for the UK and the EU.

In relation to Northern Ireland, the right hon. and learned Gentleman will have seen the White Paper on our future relationship with the EU and the arrangements for frictionless trade, which are not just important for businesses but will avoid any return to a hard border. Our position is that that provides a clear, workable model that maintains our commitments under the Belfast agreement and avoids any friction at the border, but also frees us up to strike free trade deals abroad.

On conditionality, the right hon. and learned Gentleman is a learned lawyer, but I have to say to him that as a matter of basic general international law, whether through the interpretation of treaties under the Vienna convention or customary international law, when countries sign up to a treaty, both sides must commit to the obligations on both sides; there is reciprocity. Of course, if one side fails to live up to its commitments, it is open to the other side to take proportionate measures, including in relation to financial means, to make sure good effect is given to the whole deal. That is what it takes to stand up for the interests of the United Kingdom; if the right hon. and learned Gentleman would roll over, it is a good job Labour is not handling the negotiations with the EU.

This White Paper is about delivering a smooth and orderly Brexit and one that respects the referendum. I gently say to the Opposition that it is not entirely clear that it is Labour’s overriding objective to give effect to the referendum. Straight after the referendum, the leader of the Labour party demanded the immediate triggering of article 50; with a similar lack of strategic foresight, Labour Members repeatedly voted against the EU withdrawal Bill, whose sole purpose was to deliver a smooth and orderly Brexit, including on Second Reading; and now the Labour party will not rule out a second referendum. It is clear that Labour Members are taking the opportunistic political low-ground, rather than rallying together to try to secure the best deal for the UK with our EU partners. The withdrawal agreement Bill is essential, and I hope that all who wish to see a smooth and orderly Brexit will support it and engage seriously on the substance.

**Several hon. Members rose—**

**Mr Speaker:** Order. As expected, a very large number of Members are seeking to catch my eye. I would like to accommodate as many as I can, but I remind the House that there is a further ministerial statement to follow, another piece of business that may be short but is uncertain in length, and then a very heavily subscribed summer Adjournment debate. There is therefore a premium on brevity, now to be brilliantly exemplified by Mr Steve Baker.

**Mr Steve Baker (Wycombe) (Con):** The least worst of the negotiable mechanisms to deliver the implementation period was the one in the White Paper of repealing the European Communities Act 1972 but saving its effect with modifications to the end of the implementation process. Will the Secretary of State confirm that he is going to ask this Parliament—this House—to agree to that mechanism in the same vote that we are asked to sign up to the future relationship through that political statement?

**Dominic Raab: I can assure my hon. Friend that that will all be part of the same process, and I am happy to work with him on the detail and substance, as we move forward.**

**Peter Grant (Glenrothes) (SNP):** I am grateful to the Secretary of State for his statement, for advance sight of it and the White Paper, and for notice yesterday that the White Paper would be published today. It is nice when a White Paper is handed to Members in the Chamber in a written statement to add to the 40 or so that have risen five days ago. Would we have been left without a White Paper? Would the White Paper have been announced in a written statement to add to the 40 or so that have been sneaked out over the past few days without any attempt to allow for scrutiny by Members? The Minister says that publishing the White Paper now gives Parliament time to scrutinise it before the Bill is brought forward.
but, by my reckoning, there might be eight parliamentary sitting days before the intended date for publishing the Bill, and Parliament might well want to undertake other business in that time, too. Although there is a lot of time between now and the Bill’s publication, the odd timetable that this place sets for itself means not a lot of time for parliamentary scrutiny is being allowed.

I look forward to questioning the Secretary of State on the White Paper in more detail when he attends the Select Committee later today. Paragraph 23 of the White Paper refers to discussions with existing EEA countries about the UK’s future relationship with them. Do the Government hope to establish a unique and unprecedented relationship with those countries that is different from the unique and unprecedented relationship that we are going to have with the EU? If so, why should the EEA countries agree to that?

Paragraph 30 refers to the likely use of the immigration rules, rather than primary legislation, to ensure the ongoing rights of EU nationals living in the UK. Anything that gives legislative impact to the continuation of those rights sooner rather than later is to be welcomed, but does using that method mean that Parliament will not be able to amend the Government’s proposals? If we think they do not give sufficient protections to citizens, and this is being done under immigration rules rather than through primary legislation, will Parliament have the opportunity to strengthen that protection if it sees fit?

The Secretary of State has acknowledged that primary legislation will be needed to give effect to the financial settlement, but one or two members of the European Research Group might not be too keen on that settlement. What are the Secretary of State’s contingency plans if they rebel in the way they did last week? Will the Government just cave in? If not, what concessions do they expect to have to make to the hardliners to get this essential legislation passed?

I welcome the assurance in a number of passages of the White Paper that the usual conventions regarding the devolved Administrations will apply. Can we have an assurance from the Secretary of State now that this legislation will be normal, and that we will not need to appeal that it is abnormal, so that his Government do not ride roughshod over the rights of the devolved Parliaments simply because their assessment of what our people need is a bit different from that of those Parliaments? Or is this another situation in which if the devolved Administrations disagree with the UK Government, they will take us to court, rather than seeking a political agreement?

I take on board the hon. Gentleman’s points about consultation with the devolved Administrations. We have been working closely with the devolved Administrations at official and ministerial level to prepare this White Paper. Ministers discussed proposals for the Bill at the last meeting of the Joint Ministerial Committee on 5 July. Of course, we will respect the Sewel convention, although I accept the hon. Gentleman’s point that there are different views about how that will apply, and that is difficult to judge until we have the entire withdrawal agreement.

The hon. Gentleman asked about the immigration rules. The changes will be made by statutory instrument—that is the swifter, more flexible way to proceed in accordance with the White Paper—but the process will allow for the scrutiny of those rules in the normal way.

I hope that I have given the hon. Gentleman some reassurance. I look forward to engaging with him, and all the devolved Administrations and those representing them, as we go through this process.

Stephen Crabb (Preseli Pembrokeshire) (Con): It is becoming increasingly fashionable to criticise the Northern Irish backstop as either a tactical blunder that we have made, or some kind of dastardly trick that the EU is playing on us, so will my right hon. Friend confirm that the backstop remains important precisely because we are a Government who take our obligations towards Northern Ireland seriously, who value Northern Ireland, and who will do nothing to undermine peace there or the integrity of the whole United Kingdom?

Dominic Raab: My right hon. Friend is absolutely right. There are two distinct issues at play here. We are absolutely committed to the Belfast agreement and to peace and stability in Northern Ireland. At the same time, it is unacceptable for a customs border to be drawn along the Irish sea, as that would be a direct threat to the territorial integrity of this country. I am sure that that is not what our European partners intend—there may be similar pressures in countries within the EU—but we are absolutely clear about our position on this.

Hilary Benn (Leeds Central) (Lab): Paragraph 24 states that “all EU citizens lawfully residing in the UK” by 31 December will be able to stay. Can the Secretary of State give the House and those 3.5 million European citizens an assurance that that commitment from the Government will still hold in the event of us leaving without a deal? Yes or no?

Dominic Raab: I apologise for the disruption that this is causing to the right hon. Gentleman’s evidence session, which I look forward to joining later.

We are very clear that, in the event of no deal, there would be no wholesale removal of rights of EU nationals in this country. We are absolutely committed to providing the reassurance and security that they need. That is the point of agreeing these aspects of the withdrawal agreement up front and publishing this White Paper—so that EU nationals here and UK expats abroad can see precisely not only the substance of their rights, but how they will properly be protected.
Mr David Jones (Clwyd West) (Con): May I commend my right hon. Friend for restating so robustly that the payment of any financial settlement will be conditional on an agreement on the future relationship with the EU? Will he confirm that the necessary flexibility to accommodate that conditionality will be built into the Bill?

Dominic Raab: My right hon. Friend heard what I said in my statement. The most important thing is that we are clear that there is no deal until the whole deal is done, and it will be important to establish that linkage in the withdrawal agreement directly.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I am still unclear about the Secretary of State’s plans for the Northern Ireland backstop. If that is part of the withdrawal agreement, will it be legislated for in the legislation referred to in this White Paper—yes or no?

Dominic Raab: Yes.

Mr Jonathan Djanogly (Huntingdon) (Con): The Government are still maintaining that no deal is preferable to a bad deal. Over the summer, the Secretary of State will be going round the European Union selling the Government’s White Paper policy document, and in that he has my full support. However, if he were to fail, for whatever reason, would he accept the clear evidence that a customs union-based approach is still preferable to no deal?

Dominic Raab: I appreciate the way in which my hon. Friend tries to tempt me down that particular path, but I think that it is only right to prepare for all eventualities in relation to the money, to the operational contingency planning that we are doing, and to the legislative steps. Obviously our overriding focus is on getting the best deal, and I shall be spending the weeks and months ahead in Brussels, talking to Michel Barnier and his team, and focusing on that. I shall be out there again on Thursday, looking to achieve the best deal.

Mr Pat McFadden (Wolverhampton South East) (Lab): The Secretary of State said that the withdrawal agreement was 80% agreed, but he did not mention the biggest and toughest outstanding issue, which is that of the Northern Ireland border and customs arrangements. Will he tell us whether, in his discussions last week, Mr Barnier agreed to new clause 36 to the Taxation (Cross-border Trade) Bill, which was passed by this House last week and requires reciprocal differential collection of tariffs before the agreement can be put in place?

Dominic Raab: I have already mentioned our approach to the Northern Ireland issue. We believe that the proposals in the “Future Relationship” White Paper provide a sustainable, deliverable approach, and we want to make sure that we are aiming to achieve that. In relation to Michel Barnier, the negotiations are of course ongoing, and I will protect the integrity of the negotiating room, if the right hon. Gentleman will forgive me. Of course, there is nothing in the legislation that was passed previously—last week or otherwise—to prevent us from achieving the goals in this White Paper or, indeed, the previous one.

Rachel Maclean (Redditch) (Con): I welcome what the Secretary of State is doing to get the UK ready for Brexit. Will he confirm that as he travels around the EU this summer, he will be pressing EU member states to ensure that they are also ready so that we can leave the EU without disruption to those relationships?

Dominic Raab: My hon. Friend is absolutely right, particularly in relation to the protection of UK nationals abroad in the same way as we are protecting EU nationals under UK law. We are setting up a monitoring authority, and the Commission will perform that function in relation to UK expats abroad. None the less, we want to ensure that the legislation and mechanisms are in place to give that security to UK expats.

Tom Brake (Carshalton and Wallington) (LD): The Secretary of State has said that the Government are committed to delivering a “smooth and orderly Brexit”. To that end, are they going to issue a White Paper and Bill to cover a no deal scenario, given that he and his colleagues say that that is a real and increasing possibility? Presumably such a Bill will be needed to cover all eventualities, from compulsory purchase orders to the creation of lorry parks and to establishing emergency warehouses for medicines and food.

Dominic Raab: I do not think that I have ever said that this is an increasing risk, but it is certainly a real risk. As the time for the deal approaches, the only responsible thing for us to do is to ensure that we are ready for all eventualities. Without going into some of the more hair-raising examples that the right hon. Gentleman has highlighted, I think it is right to ensure that we are ready for all eventualities by having the logistical infrastructure and legislation in place. I hope that we will have his support.

Mr Peter Bone (Wellingborough) (Con): I thank the Secretary of State for coming to the House at the earliest opportunity to give us the chance to scrutinise the White Paper. I have not had a chance to read it myself, so will he confirm that the Prime Minister’s principles of ending the free movement of people, of not giving billions of pounds each and every year to the EU, and of making our own laws in our own country, judged by our own judges, are not broken by the White Paper?

Dominic Raab: My hon. Friend is absolutely right to get back to the key overarching objectives. I believe that, with this White Paper and the previous one, the full strategy can be seen in the round. Yes, we have had to take a pragmatic as well as a principled approach, but it is faithful to the referendum in the three key areas that he describes.

Stephen Kinnock (Aberavon) (Lab): The Government have promised that the House will have all the information and data that it needs to make an informed choice when we take the critical vote in the autumn. Will they therefore produce an impact assessment on the political declaration on the future relationship between the UK and the EU well in advance of our taking that critical vote?

Dominic Raab: I thank the hon. Gentleman for his question; he has raised this matter a few times. We will ensure that the appropriate analysis is done on all aspects of all elements on both sides of the deal.
Mr John Baron (Basildon and Billericay) (Con): I wish the Secretary of State a productive summer—it could be a very interesting one. The EU has a poor track record when it comes to trade deals generally, which is why we trade with the majority of the rest of the world on World Trade Organisation terms. What assurances can he give us that, in the run-up to the publication of the White Paper, we will be meaningfully preparing to leave on no trade terms and that the White Paper’s proposals will have the dexterity to ensure that the preparation is in place in time?

Dominic Raab: My hon. Friend is right to raise that aspect of the arrangements. We are working closely with all the other arms of Whitehall, including the Department for International Trade, and we are ensuring that we have the right flexibility. The advantage of the implementation period in the White Paper is that it is finite, so that those who want to see an end to the eternal haggling with the EU and want some clarity about the end-state relationship will have that provided. During the implementation period, we will be free to negotiate and to conclude free trade deals with other countries beyond the continent.

Caroline Lucas (Brighton, Pavilion) (Green): Is the Secretary of State aware that he has just set alarm bells clanging in the homes of around 3 million EU citizens living in this country? When he answered the question about what would happen in the event of no deal by saying that there would be no wholesale removal of rights of EU nationals in this country, what did he actually mean? Will he put in writing what he means in the next 24 hours so that those people do not have a horrendous summer thinking the worst about what could happen in the event of no deal, with their rights not being protected?

Dominic Raab: I do not share the hon. Lady’s gloomy assessment. When the detail of the White Paper is made clear to EU nationals here, the focus will be on their substantive rights and the mechanism by which they will be able to rely directly on them in UK courts. There will be an independent monitoring authority not just to take up complaints, but to take legal action. If the negotiations do not reach fruition, separate legislative provision will be made in the normal way through the Home Office. However, we will move quickly to secure the position of EU nationals.

Craig Mackinlay (South Thanet) (Con): We swallowed the fairly hideous implementation period compromise on the promise of a smooth transition to a good end state. Now that the opening offer on the end state does not pass the public’s sniff test, why should we approve both when we are asked to in the autumn?

Dominic Raab: I share my hon. Friend’s passion and respect his views. If he looks at the package in the round—at the finality that the implementation period provides; at the ability to give effect faithfully to the referendum and to take back control of our borders, law and money; at our ability to trade more liberally and energetically with the growth markets of the future; at the wider political context, both in this House and beyond; and at the nature of the support we need to carry the country with us—I hope that he will appreciate that we are taking a principled, pragmatic approach to leaving the EU, and that he will be able to get behind it.

Mike Gapes (Ilford South) (Lab/Co-op): The Secretary of State said that UK nationals in the EU will be able to “live their lives broadly as they do now”. Will he confirm that the existing rights to move freely between EU countries and to work and study in other EU countries will apply to all UK citizens currently living in France, Germany, Estonia, Poland and elsewhere?

Dominic Raab: I share the hon. Gentleman’s desire to nail down those reassurances for onward movement. That is our objective in the negotiations, but we have not yet finalised that aspect.

Henry Smith (Crawley) (Con): When the Secretary of State meets the remaining 27 EU Governments over the summer, will he be highlighting the fact that they have a significant trade surplus with the UK and that it is therefore in everyone’s best interests that a comprehensive trade deal is accomplished?

Dominic Raab: I think that many European businesses are well aware of that. On Friday, we had a meeting at Chevening with a whole range of leaders of businesses small and large, and there was widespread positive feeling about our negotiating position and many offers to help. It will not be just me going around the capitals of Europe; there will be a lot of support from businesses trying to ensure that we get this deal in the principled, pragmatic way that has been set out in the White Paper.

Joanna Cherry (Edinburgh South West) (SNP): In the Secretary of State’s previous incarnation, he campaigned for the repeal of the Human Rights Act and its replacement with a Bill of Rights. Despite campaigning vigorously since 2009, he failed to secure his objective, and the Government have now ditched the policy. What makes him think that he can finalise the remaining 20% of the withdrawal agreement and solve the difficult question of the Irish border in a matter of months?

Dominic Raab: I always argued that we should stay within the European convention on human rights, but that we should look at how it is implemented in UK law. However, the Government’s position is clear on that. More broadly, the hon. and learned Lady is quite right to point out the time pressure that we are under, but we have set out a principled but pragmatic approach. We are bringing extra energy to the negotiations. I am going out to see Michel Barnier again on Thursday and will be offering to see him regularly throughout the summer. If that good will, pragmatism and energy are reciprocated, we will get a deal in October.

Eddie Hughes (Walsall North) (Con): I am expecting there to be a lot of celebrating on 29 March 2019 in Willenhall and Bloxwich. Will the Secretary of State confirm that one of the things that the people will be celebrating will be the opportunity to make free, independent trade deals for the first time in decades?

Dominic Raab: My hon. Friend is absolutely right. The point is that the growth markets of the future will be areas such as Latin America or Asia, and that has
also been confirmed by the European Commission’s analysis. This is not just a UK position; it is widely shared.

Tracy Brabin (Batley and Spen) (Lab/Co-op): The Secretary of State and other Conservative Members have said many times that no deal is better than a bad deal, but the Foreign Secretary said yesterday that no deal would be economically challenging. However, with still no evidence of what the Government have put in place for a no deal Brexit, will the Secretary of State please take this opportunity to give manufacturers in Batley and Spen advice on how to prepare for a potentially chaotic economic crisis?

Dominic Raab: We are broadly aligned in trying to strive to get the very best deal with the EU—that is where my overriding focus is—but I say gently to the hon. Lady and other Opposition Members that it would be deeply irresponsible to fail to prepare and plan for all eventualities when we are in a negotiation and when things depend on the good will and the ambition on the other side.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Further to paragraph 104 on page 28 of the White Paper, will my right hon. Friend confirm that payment of the £35 billion to £39 billion that he cited is conditional on the final deal? After all, as he has said, nothing is agreed until everything is agreed.

Dominic Raab: If my hon. Friend looks at the White Paper, he will see that the principle of conditionality is written into it and is mentioned in several different paragraphs. It is a common principle of international agreements and international diplomacy when a deal is struck that both sides commit to adhering to and fulfilling their side of the bargain. If they do not, there are consequences for the rest of the deal.

Sammy Wilson (East Antrim) (DUP): I welcome the White Paper, especially the commitment that the EU will not be getting a penny of our money if it refuses to come up with a fair trade arrangement that suits both sides. On that issue, is the Secretary of State aware that the Taoiseach said this week that he had been assured by the EU that there will be no need for any physical infrastructure along the Irish border even in the event of no deal? If that is the case, is that not proof that the issue is overhyped and that there is no need for a backstop arrangement that breaks the Union? Will he assure us that he will not accede to such an arrangement?

Dominic Raab: I certainly agree with the hon. Gentleman that if both sides go into this with sensitivity, understanding and the commitment to avoid any return to any infrastructure at the Irish border, we will be in a much better place. The most important thing is that the proposals in our White Paper on the future relationship provide a sensible model that guides us towards the end state during the implementation period.

Nigel Huddleston (Mid Worcestershire) (Con): I appreciate that the Secretary of State is trying to make the Government’s position clear and simple for people to understand, but there is still a lot of confusion out there. One area that confuses my constituents is whether we will be able to conduct independent trade deals under the Government’s proposals, so will he clarify that?

Dominic Raab: I can tell my hon. Friend that not only will we be able to negotiate, but we will be able to conclude deals. The Department for International Trade is now embarking on a series of consultations about the substance of those free trade agreements so that the public and his constituents will understand the value and importance that the agreements will bring to the country.

Thangam Debbonaire (Bristol West) (Lab): I refer the House to my entry in the Register of Members’ Financial Interests. Will the Secretary of State please commit to meeting the Minister for Digital and the Creative Industries, the hon. Member for Stourbridge (Margot James), who in a recent meeting with me and the Musicians’ Union agreed about the need for there to be some form of visa so that musicians and others in the creative and other industries, including sportspeople, can continue to tour the EU? Paragraph 26 on frontier workers does not deal with self-employed people who need to tour the EU.

Dominic Raab: That is one of the issues that needs to be discussed in the context of the future relationship, but the hon. Lady raises the importance of our getting the best deal on that relationship in tandem and in parallel with the withdrawal and exit terms.

Alex Burghart (Brentwood and Ongar) (Con): I congratulate the Secretary of State on his statement. Several constituents who are EU nationals have raised concerns with me about their rights after we leave the EU. Will he therefore tell the House what he intends to do to spread the message that is in the White Paper so that EU nationals are aware of the steps that the Government are taking?

Dominic Raab: There is the substance of the rights, which we have set out and made clear in the White Paper, and a mechanism and procedures will also be available to EU nationals. We will ensure that that information is widely disseminated both through materials and through the work that the Home Office will be doing in the coming weeks and months.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Secretary of State knows that parliamentary arithmetic seems to be against the British Government. If they fail to get approval for their withdrawal agreement, they will face four options: they could extend article 50 in order to renegotiate; they could move a motion of no confidence to allow the formation of an alternative Government or another general election; they could call a second referendum; or they could crash out without a deal. Which option would he prefer?

Dominic Raab: It will be incumbent on hon. Members on both sides of the House to think very carefully about how they vote when it comes to the meaningful vote. Unless it is approved and we have a deal, we will not be able to give effect to it. Not only would that be a serious position, but hon. Members on both sides of the House would be held to account for how they voted.
Mike Wood (Dudley South) (Con): What safeguards can be put in place to make sure that the provisions to save parts of the European Communities Act cannot be extended beyond the agreed implementation period?

Dominic Raab: I understand my hon. Friend’s concern, and I hope he will be reassured that the implementation period will be finite and much shorter than some had been arguing for. We think that strikes the right balance between allowing businesses to make one change to the rulebook and making sure it is a reasonably finite, limited period, for the very reasons he has expressed.

Ian Murray (Edinburgh South) (Lab): Can the Secretary of State tell us what the terms of any meaningful vote will look like? What are the Government’s plans should this Parliament not agree to the deal on the table?

Dominic Raab: The terms of the meaningful vote have already been set out in the European Union (Withdrawal) Act, and the vote will be to approve or reject the full deal, including both the withdrawal agreement and the future framework.

Kevin Foster (Torbay) (Con) rose—

Alex Chalk (Cheltenham) (Con) rose—

Mr Speaker: Devon versus Gloucestershire. I call Mr Kevin Foster.

Kevin Foster: Thank you, Mr Speaker. You are a star, and I am sure you know how to do your scone correctly, too.

The Secretary of State will be aware of the importance of the fishing industry to Torbay and across the south-west. Can he therefore confirm that, by 2020, the UK will be negotiating its own fishing policies as an independent coastal state?

Dominic Raab: My hon. Friend is absolutely right. In 2020 we will be negotiating fishing opportunities as an independent coastal state, deciding who can access our waters and, more importantly, on what terms.

Stephen Timms (East Ham) (Lab): I am pleased that the new Secretary of State is planning to meet Michel Barnier much more frequently than his predecessor did, and I welcome this new sense of urgency. On the conditionality of the financial settlement, when the withdrawal agreement is ratified in October, or whenever it is, the UK’s payment will be obligatory. Will he confirm that the future relationship, at that stage, will be covered by a declaration, which will not be obligatory on either party?

Dominic Raab: We set out a lot of the detail on how we will handle the financial payment in the White Paper, and I urge the right hon. Gentleman to reflect on the detail. We cover the substance, the sequence and the mechanism for paying it and for making sure that, at all moments, this House has proper scrutiny. If he has any particular suggestions in relation to that, I would be interested to hear them.
Immigration Detention: Shaw Review

2.37 pm

The Secretary of State for the Home Department (Sajid Javid): With permission, Mr Speaker, I will make a statement on immigration detention. As the House knows, our immigration system is made up of many different and interconnected parts. Immigration detention is an important part of that system, and it encourages compliance with our immigration rules, protects the public from the consequences of illegal migration and ensures that people who are here illegally, or who are foreign criminals, can be removed from this country when all else fails.

Detention is not a decision that is taken lightly. When we make the decision to detain someone, their welfare is an absolute priority. The Windrush revelations have shown that our immigration system, as a whole, is not perfect, that there are some elements that need much closer attention and that there are lessons we must learn.

That is why I welcome Stephen Shaw’s second independent review of immigration detention, commissioned by this Government and which I am laying before the House today. Copies are available from the Vote Office and on gov.uk. I am grateful to Mr Shaw for his comprehensive and thoughtful report, which recognises the progress this Government have made in reforming immigration detention since his last report in 2016 but challenges us to go even further.

As the review notes, we have made significant changes to detention in the UK in recent years. Over the past three years, we have reduced the number of places in removal centres by a quarter. We detained 8% fewer people last year than the year before. Last year, 64% of those detained left detention within a month, and 91% left within four months. And 95% of people liable for removal at any one time are not in detention at all but are carefully risk assessed and managed in the community instead.

In his report, Stephen Shaw commends the “energetic way” in which his 2016 recommendations have been taken forward. He notes that conditions across immigration removal centres have “improved” since his last review three years ago. We now have in place the adults at risk in immigration detention policy to identify vulnerable adults more effectively and make better balanced decisions about the appropriateness of their detention. We have also strengthened the checks and balances in the system, setting up a team of special detention gatekeepers to ensure decisions to detain are reviewed. We have also created panels to challenge the progress on detainees’ cases and their continuing detention. We have taken steps to improve mental health care in immigration removal centres, and we have also changed the rules on bail hearings. Anyone can apply for bail at any time during detention. In January, we further changed the rules, so that detainees are also automatically referred for a bail hearing once they have been detained for four months. All of that is good work. However, I agree with Stephen Shaw that these reforms are still bedding in, and that there have been cases and processes we have not always got right. Now I want to pick up the pace of reform and commit today to four priorities going forward.
First, let me be absolutely clear that the Government’s starting point, as always, is that immigration detention is only for those for whom we are confident that no other approaches will work. Encouraging and supporting people to leave voluntarily is of course preferable. I have asked the Home Office to do more to explore alternatives to detention with faith groups, with non-governmental organisations and within communities. As a first step, I can announce today that we intend to pilot a scheme to manage vulnerable women in the community who would otherwise be detained at Yarl’s Wood. My officials have been working with the United Nations High Commissioner for Refugees to develop this pilot, which will mean that, rather than receiving support and care in an immigration removal centre, the women will get a programme of support and care in the community instead.

Secondly, the Shaw review recommends how this Government can improve the support available for vulnerable detainees. Mr Shaw describes the adults-at-risk policy as “a work in progress”. We will continue that progress, ensuring that the most vulnerable and complex cases get the attention they need. We will look again at how we can improve the consideration of rule 35 reports on possible cases of torture, while avoiding abuse of these processes. We will also pilot an additional bail referral at the two-month point, halving the time in detention before a first bail referral. We will also look at staff training and support to make sure that the people working in our immigration system are well equipped to work with vulnerable detainees, and we will increase the number of Home Office staff in immigration removal centres.

Thirdly, in his report, Stephen Shaw also rightly focuses on the need for greater transparency around immigration detention. I will publish more data on immigration detention, and I am commissioning the Independent Chief Inspector of Borders and Immigration to report each year on whether and how the adults-at-risk policy is making a difference.

Fourthly, and finally, I also want to see a new drive on dignity in detention. I want to see an improvement to the basic provision available to detainees. The practice in some immigration removal centres of having three detainees in rooms designed for two will stop immediately. I have also commissioned an urgent action plan for modernising toilet facilities. We will also pilot the use of Skype so that detainees can contact their families overseas more easily.

I am aware of the arguments that are made on time limits for immigration detention. However, as Mr Shaw’s review finds, the debate on this issue currently rests more on slogans than on evidence. That is why I have asked my officials to review how time limits work in other countries and how they relate to any other protections within their detention systems, so we can all have a better-informed debate and ensure our detention policy is based on not only what works to tackle illegal migration, but what is humane for those who are detained. Once this review is complete, I will further consider the issue of time limits on immigration detention.

The Shaw review confirms that we are on the right track with our reforms of immigration detention and that we should maintain a steady course, but Stephen Shaw also identifies areas where we could and should do better. So my goal is to ensure that our immigration system, including our approach to immigration detention, is fair and humane. This is what the public rightly expect from us. They want rules that are firmly enforced, but in a way that treats people with the dignity they deserve. The changes I have announced today will help to make sure that that is the case, and I commend this statement to the House.

2.45 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I am grateful to the Home Secretary for giving me prior sight of his statement. In a way, it is telling that we are having this statement as the last one of this parliamentary Session. Some may be concerned it will not get the attention it deserves, but, in a way, that is symptomatic. Immigration detention and the conditions in immigration detention have always existed in the shadows, without sufficient scrutiny, but that lack of scrutiny has been partly addressed by the Shaw review.

I have the slight advantage over Home Office Ministers on the question of immigration detention because I was an MP in the 1990s, when immigration detention, as we know it, was introduced. One thing Ministers insisted was that immigration detention was always meant to be for short periods prior to removal, but the system Stephen Shaw had to look at in 2016 had morphed into something much more disturbing and inappropriate.

The Home Secretary will be aware that the first Shaw review said:

“Immigration detention has increased, is increasing, and—whether by better screening, more effective reviews, or formal time limit—it ought to be reduced.”

Is the Home Secretary aware that some people will believe that the fact we have managed to reduce the number of people in immigration detention by only 8% since the first Shaw review is not satisfactory? We need to move to a position where people are assured that only the minimum number of persons are detained in this way and only for the minimum time. This Home Secretary needs to be aware that that is what MPs were promised in the 1990s and that is what the Government should be moving towards.

However, I welcome the look at alternatives to detention for vulnerable women who might otherwise be held in Yarl’s Wood. Is the Home Secretary aware of how desperate these women are? I visited Yarl’s Wood earlier this year—it took a year for me to be allowed in—and I was shocked at how desperate and unhappy these women were. Some of them were victims of trafficking and of sexual abuse, and should never have been in Yarl’s Wood in the first place. So I welcome our looking at alternatives, working with faith groups and the community, through care in the community. Is the Home Secretary aware that Yarl’s Wood currently costs £10 million a year? That money would be better spent on giving support to our anti-trafficking strategy and on action to help those that are detained. Is he aware of the concerns about vulnerable detainees? In particular, Stephen Shaw said in his first review that detention is linked to poor mental health outcomes. So this is not just a question of humanity in the way we treat detainees; we need care for their mental health.

I welcome what the Home Secretary said about more data. As I said at the beginning, I deprecate the extent to which immigration detention and its conditions have
lain in the shadows. I welcome what he said about dignity in detention. I found the women in Yarl's Wood living in very sad and very undignified conditions; their rooms had been searched by men in the middle of the night, and there was inadequate healthcare. We also need to address this question of the feeling that they were detained indefinitely. Whenever it is put to Ministers that this system constitutes indefinite detention, they say, “No, of course not.” But someone in prison has a date for release, whereas these people in detention centres do not know when they are going to be released. I am glad that there will be some examination of the question of time limits, because the notion of indefinite detention is one of the things about our current immigration detention system that is the hardest to defend.

The Opposition understand that some type of immigration detention must form part of our immigration system, but we believe that the sooner immigration detention moves back to the system that Members of Parliament were promised in the 1990s, the sooner we are talking about short-term detention, the sooner there is more care for people's mental health, the sooner there is more care for people's dignity and, above all, the sooner women are taken out of Yarl's Wood, it will be a better day—not just for the detainees but for this Government and for the British people and our reputation for fairness and humanity.

Sajid Javid: I thank the right hon. Lady for her remarks. She has been very thoughtful and constructive and has welcomed some of the initiatives that I announced today, which I hope to build on further. As always, I would be happy to sit down with her to discuss further some of the announcements that I made today, because she can add to what we plan to do. I assure her that, although we are about to start the summer recess, the work of the Home Office and all the work that I talked about in my statement continues. I want to make sure that, when we are all back in Parliament, we can properly probe further the report and some of the announcements I made today, whether that is through Select Committees or otherwise.

The right hon. Lady was right to talk about the problems with immigration detention over a number of years. I think she would be the first to agree that there have been problems for many years under successive Governments. In preparation for delivering this statement, I looked back at a 2009 Home Affairs Committee report, which talked about many similar problems. More than 1,000 children were in detention that year. The right hon. Lady referred to Yarl's Wood; that report said that “Yarl's Wood remains essentially a prison.”

That was in 2009. I hope that she agrees that, with the work that has been done, particularly Stephen Shaw's two independent reviews, changes are beginning to be made. I am the first to accept, though, that more needs to be done. That is the purpose of the most recent report and the action that I have announced today.

That action includes making improvements across the board, including in the number of people detained, which I would like to see fall further. The right hon. Lady would agree that the Government waited until the final few hours of the parliamentary term to release the Shaw report and their response to it. I want to welcome some of what the Government understand that some type of immigration detention must form part of our immigration system, but we believe that the sooner immigration detention moves back to the system that Members of Parliament were promised in the 1990s, the sooner we are talking about short-term detention, the sooner there is more care for people's mental health, the sooner there is more care for people's dignity and, above all, the sooner women are taken out of Yarl's Wood, it will be a better day—not just for the detainees but for this Government and for the British people and our reputation for fairness and humanity.

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Secretary of State has laid out in the report and in his statement, but I think we would all agree that immigration detention is a fundamental question of human rights, liberty and the rule of law, and it is outrageous that the Government are running away from scrutiny on this issue. Will the Secretary of State ensure that a full debate on the issue is scheduled for the first week back after recess?

As Scottish National party MPs have said in this Chamber time and again, the large-scale and routine detention of tens of thousands of people in large-scale private prisons, simply for the Home Office’s administrative convenience, is an affront to the rule of law and a stain on this democracy. In the light of the second Shaw report, will the Secretary of State accept that the time for tinkering is over and that we need radical reform of detention policy? Will he commit to a programme of closure of large-scale detention facilities and to ensuring that detention is a matter of last resort, rather than routine, with a goal of drastically cutting the numbers held in such facilities? I hear what he has said today, but I urge him to implement a time limit on detention similar to what we see in other EU countries. If he will not, will he allow the House to vote on the issue?

Sajid Javid: I welcome the hon. Gentleman’s remarks, but say gently that he was a little ungenerous to start by suggesting that the Government have waited until the last day before the recess. We have not been in possession of the report for long and it takes a few days for us to respond to it properly and to come forward with progress on it, so I ask him to reflect on that and approach this issue in a more constructive spirit if he really does want to help, rather than trying to score cheap political points.

The hon. Gentleman asked about an opportunity to debate the issue; I think that would be good and will raise it with the Leader of the House. The work of Select Committees and others will be very welcome scrutiny. He mentioned the size of the detention estate; I hope he welcomes the fact that the total number of available places, rather than of individual detention centres, is falling. As I said, the number of places has fallen by a quarter in the past year, which shows the direction of travel. I do want to see fewer people being detained. I reassure the hon. Gentleman that detention is a last resort. The default for immigration enforcement policy is not to detain. If someone is detained, it must be a last resort.

Nigel Huddleston (Mid Worcestershire) (Con): I welcome the Home Secretary’s statement, particularly the various pilot projects and especially the management of vulnerable women in the community rather than at Yarl’s Wood. Will the Home Secretary explain how that will work in practice and how many women we are talking about?

Sajid Javid: The total number of women currently in detention in Yarl’s Wood is roughly 260, which as I said earlier is around 9% of the total number of people currently in detention. We will be working on the pilot project with the UNHCR and possibly with a non-governmental organisation. Those organisations will lead the design of the pilot, but its aim will be, in cases in which the individual may ordinarily have gone to Yarl’s Wood, to work with them on a plan instead, with a contract to which they agree, and for them to be settled in the community and therefore kept out of detention centres.

Vytne Cooper (Normanton, Pontefract and Castleford) (Lab): I welcome the measures that the Home Secretary has announced today and look forward to scrutinising them in our ongoing immigration detention inquiry. I should say to him that we have heard some quite shocking evidence in that inquiry, including recognised torture victims still being locked up for many months. There is repeated evidence that the indefinite nature of detention is not only traumatising for those who are being held, but means that there is no pressure on the Home Office and immigration system to make the swift decisions that we need, so I join the shadow Home Secretary in urging him, as speedily as possible, to bring an end to indefinite detention.

Sajid Javid: I look forward to the Select Committee’s scrutiny. The right hon. Lady is right to point out that, sadly, some vulnerable people will have been victims of torture. Where those claims are made, they should all be properly looked at, which is why I said in my statement that I want to look again at how rule 55 works, so that when people make those claims, they are properly and thoroughly assessed and taken seriously. On time limits and detention, I hope that she welcomes what I have said about doing more work and about having a proper review. I also want to reassure her that challenges have been built into the system. For example, independent panels will challenge whether someone still needs to be detained, and there are gatekeepers when someone arrives at the detention centre. We have learned from the Windrush cases that those systems have not always worked, so there will be more lessons to learn, and I look forward to working with her on those issues.

Alex Ber ghart (Brentwood and Ongar) (Con): I am a former member of the Joint Committee on Human Rights, and we were given access to two of the case files of the Windrush generation who appear to have been illegally detained. I very much welcome the Home Secretary’s response to the Shaw report today. Will he confirm that he is putting in place systems to ensure that no one is detained against the evidence?

Sajid Javid: I know very well the two cases to which my hon. Friend refers. As we are still working on Windrush cases, there may well be further cases, sadly, from which we will need to learn lessons as well. I can give my hon. Friend confidence that we are doing everything we can to make changes to ensure that the evidence is followed. For example, I have announced a change today to pilot an automatic bail process of two months, rather than waiting for four months. We need to learn more from the Windrush cases, which is why the lessons learned review will be important, and I am sure that it will show us what more we can do to improve detention.

Kate Green (Stretford and Urmston) (Lab): I thank the Home Secretary for his statement. He mentioned the role of detention gatekeepers, but will he look at how screening can be made more proactive and less dependent simply on information that the Home Office
already holds so that those detention decisions are made with the fullest possible information and at the very earliest stage of the process?

Sajid Javid: The hon. Lady makes a very good point. Following the question asked by my hon. Friend the Member for Brent Central, I referred to two reasonably well known cases from Windrush of two individuals who were unlawfully detained. Those cases showed that a number of lessons needed to be learned. One was that the gatekeeper process was not working well enough. Part of that was to do with a lack of information. Had information been accessed from other sources—perhaps public sources where information was held—we might have had a different outcome. She makes a very important point and it will be looked at.

Mike Wood (Dudley South) (Con): Can the Home Secretary offer further detail on the support that the Government intend to provide for vulnerable detainees, particularly in terms of training and support for staff working in the immigration system?

Sajid Javid: One of my announcements today was about more support for vulnerable detainees. They included a number of things such as looking again at how rule 35 works, the bail referral process and, as my hon. Friend mentioned, staff training. We are looking at exactly how that can work within the Department, but we want to make sure that not just the gatekeeper staff and those who are at the entry point when someone comes into detention but all staff have some level of training to help spot vulnerable people. The reality is that if someone is vulnerable, they may not always come forward; in many cases, they do not. There are things that one can look for to help spot people in that situation and try to help.

Sir Edward Davey (Kingston and Surbiton) (LD): Shaw’s foreword says:

“The time that many people spend in detention remains deeply troubling...over half of those detained are...released back into the community.”

It also says that the number of vulnerable detainees has actually increased. Is that not a record of the Home Office failing to act swiftly on Shaw’s first report, and is not the most damning part of Shaw’s report his criticism of the total failure of the Home Office in the past two years to examine properly alternatives to detention? Is the Secretary of State today accepting Shaw’s recommendations 43 and 44 on alternatives to detention—yes or no?

Sajid Javid: That is a very partial reading of Mr Shaw’s report by the right hon. Gentleman. I appreciate that he has not yet had much time to read the whole report, but I do encourage him to do so. I think that he will find that, as well as rightly finding issues and challenging us to do more, which I am and which we will continue to do, Mr Shaw talked about the progress that we have made, including on alternatives to detention. One example of how we intend to take that recommendation forward is the one I gave earlier about piloting a new programme to do with women in detention.

Mr Jim Cunningham (Coventry South) (Lab): I welcome the report as a step in the right direction, but as with all reports, it is the implementation that matters. Has the Secretary of State set a timescale for its implementation, and does he have the resources?

Sajid Javid: On the timescale, I have announced four broad measures today. Internally, we are working on what can be implemented. Some of them are much more immediate. Some of the policies need amending. Others will take time to put in place, such as starting some of the new pilot projects about alternatives to detention in the community. On resources, I am sure that I have the resources from now until the end of this spending round. I will then need to have further discussions with my right hon. Friend the Chancellor.

Thangam Debbonaire (Bristol West) (Lab): There is so much to welcome in the Home Secretary’s announcement today. I am particularly pleased to hear about the pilot and evaluation of the new system for vulnerable women. I urge him to take that evaluation very carefully and make sure that we get it right. He mentioned a lack of evidence on the question of a time limit. Will he look, or look again, at the report on detention written by my predecessor as chair of the all-party group on refugees, the previous hon. Member for Brent Central? The co-chair is my hon. Friend the Member for Sheffield Central (Paul Blomfield). That report was carried out in 2014 and published in 2015. I think that the Home Secretary will find that there is a great deal there to recommend it. Will he meet me and my hon. Friend to discuss the findings of that report?

Sajid Javid: I thank the hon. Lady for her comments and for her welcoming of the pilot regarding vulnerable women. I will happily take a proper look at that report. I have seen a summary of it, but as I am looking for some more summer reading to do, that is a very good suggestion. When Parliament is back after the summer, I would be very happy to meet her and her colleague.

Caroline Lucas (Brighton, Pavilion) (Green): I visited Yarl’s Wood a few weeks ago. The overwhelming sense that I got was that the indefinite nature of detention is what makes it such a mental torture. People literally do not know how long they will be there or why they are there. It is a Kafkaesque nightmare. Will the Secretary of State acknowledge in particular that the adults at risk policy is fundamentally flawed because detention itself makes people more vulnerable? May I echo those others who have called on him to make it a priority to end administrative detention for immigration purposes, perhaps starting with a 28-day limit, but, ultimately, moving to end it, because it makes vulnerable people more vulnerable and it does not work.

Sajid Javid: It is good that the hon. Lady has visited Yarl’s Wood, because that is the kind of scrutiny that we need. [Interruption.] I have just heard her say that it took time to get permission. I am sorry to hear that. However, it is good that she has visited and seen the centre at first hand. That does not necessarily mean that I agree with her entire assessment following her visit, but I am very happy to listen to her experience and her thoughts. Although I said at the start of my statement that administrative detention plays an important role when done properly in our immigration system, I do think—this is where we could agree—that there should...
be more alternatives to detention so that people can be held in the community, rather than in a detention centre, while their cases are being looked at. I hope that she welcomes some of the announcements that I have made today, but I am looking to do more and would be happy to hear her ideas about alternatives.

Dr Rupa Huq (Ealing Central and Acton) (Lab): I welcome this Home Office-commissioned review. I also welcome the Secretary of State’s words on the women in Yarl’s Wood, who often do not know what they have been detained for. I have a letter from the Home Secretary in which he rightly condemns harassment and intimidating behaviour towards women, but regarding a Home Office review into women seeking abortion healthcare he also says:

“I will... make an announcement before the summer recess”

and that he will do so

“with a view to making recommendations”.

That review was announced by the Secretary of State’s predecessor in November, and it closed in February. It took 160 Members from both sides of the House, including the Father of the House and the Chairs of the Select Committees on Home Affairs, on Public Administration and Constitutional Affairs and on Health and Social Care, to get the undertaking in this letter. There are four hours left until the recess. Will the Secretary of State be able to deliver on his word for vulnerable women everywhere?

Sajid Javid: I am happy to write the hon. Lady about the issue that she raises, but I am afraid that it has nothing to do with the statement that I made today.

Steve McCabe (Birmingham, Selly Oak) (Lab): I welcome the Home Secretary’s statement. He refers to Stephen Shaw’s focus on the need for greater transparency and promises to publish more data. I was surprised to discover in an answer to a parliamentary question in May this year that the Department does not collect data on people who are re-detained, so we have no information at all about how many people may be re-detained within one month or six months of their initial period of detention. Does the Secretary of State agree that it would be really useful to have that information so that we have a much clearer picture of what is happening?

Sajid Javid: The hon. Gentleman makes a good point, following on from my point about transparency and Mr Shaw’s point in his report. I hope that he welcomes some of the measures that I announced today. I will take a closer look at his point regarding data on re-detention.

Mr Deputy Speaker (Sir Lindsay Hoyle): Last but certainly not least, I call Mr Jim Shannon.

Jim Shannon (Strangford) (DUP): Thank you, Mr Deputy Speaker. The good book says that the first shall be last and the last shall be first, so I am pleased to be called at any time. I thank the Secretary of State for his statement. He has given a commitment to review the imposition of a limit on the amount of time for which an asylum seeker can be detained. I welcome that, but what specifically can be done for pregnant women—not in a long-term review, but now?

Sajid Javid: I thank the hon. Gentleman for his comments. Just to be clear, I talked about a review of time limits, but this is not just for asylum seekers; we do not detain asylum seekers as a matter of policy at all. The intention is always to deal with cases in the community. I just want to clarify that I am talking about looking at the time limit for detentions full stop, regardless of who is in detention. I will look into the hon. Gentleman’s further question and write to him.
### Points of Order

#### 3.13 pm

**Jim Fitzpatrick** (Poplar and Limehouse) (Lab): On a point of order, Mr Deputy Speaker. I believe that yesterday Mr Speaker received an email from a law firm, Trowers & Hamlins, which represents Octagon Overseas Ltd and Mr John Christodoulou in enforcement action against leaseholders at Canary Riverside in my constituency. The law firm asked for my Adjournment debate scheduled for later today—“First tier tribunals, section 24 powers and enforcement on freeholders”—not to take place, claiming that the debate will be subject to sub judice rules. I have no intention of raising any sub judice matter. My debate is about the weaknesses in the rules concerning both first-tier tribunals and the section 24 powers of the court in general.

Mr Deputy Speaker, can you first confirm that my debate will go ahead, despite the attempted gagging email? Secondly, will you agree such efforts to direct you and Mr Speaker to stifle debates and to prevent MPs from raising matters of concern for their constituents are heavy-handed and wholly inappropriate?

**Mr Deputy Speaker** (Sir Lindsay Hoyle): I thank the hon. Gentleman for giving me notice that he wished to raise this matter. It may be helpful if I first make it clear that the House's sub judice resolution is not an externally-imposed rule, but a self-denying ordinance by which the House has agreed to limit its freedom of speech by avoiding references in debate to cases that are active before the UK courts. Certain exemptions apply and the resolution is subject always to the discretion of the Chair. It is not always practicable for the Chair or those who advise us to identify all cases that might come up in debate, or to ascertain in a timely way what the current status of those cases is. It can be quite helpful to be alerted to such cases, and there is nothing wrong with outside parties writing to draw our attention to potential sub judice concerns.

In response to the hon. Gentleman’s questions, I can confirm that his Adjournment debate will go ahead today. I am grateful for his assurance that he has no intention of raising any matter that is sub judice. I would not characterise the letter that Mr Speaker received yesterday as “wholly inappropriate”, though I agree that the final paragraph was ill conceived in arguing that it was imperative that the debate should not go ahead. I hope that this response is satisfactory to the hon. Gentleman.

**Sir Peter Bottomley** (Worthing West) (Con): Further to that point of order, Mr Deputy Speaker. I am grateful for your response to the point of order raised by the hon. Member for Poplar and Limehouse (Jim Fitzpatrick).

If I speak in the Adjournment debate, I shall be referring to something with discretion, which I hope will not invite the Chair to intervene.

Can we ask for the Procedure Committee to decide whether any letter of that kind should always be sent to the Member of Parliament involved, as well as to the Speaker, so that the Member of Parliament knows what is going on behind the scenes? Can it also be clarified that this applies to courts of first instance, and does not normally apply to appeal courts, which are thought not to be influenced by what happens in Parliament?

**Mr Deputy Speaker**: First, I know that the hon. Gentleman always uses discretion—I would expect nothing else from such a senior Member. Regarding the second part of the hon. Gentleman’s point of order, I would like to refer to colleagues and come back to him.

**Richard Burgon** (Leeds East) (Lab): On a point of order, Mr Deputy Speaker. I have reason to believe that the Government are intending to make a very substantial announcement about changing their policy on privatised probation services soon after the House rises for summer recess. This announcement is expected to involve handing over tens of millions of pounds more in yet another bail-out for these private probation companies, in response to a damning Justice Committee report that described the privatised probation system as “a mess”. I seek your advice, Mr Deputy Speaker, about what may be done to ensure that when the Government are responding to a damaging Select Committee report with a controversial change in policy involving perhaps tens of millions of pounds of additional public money being spent, they make their announcement in a timely manner and in this Parliament, with all the scrutiny that that entails, rather than in the pages of the newspapers when the House is not sitting.

**Mr Deputy Speaker**: I can understand the concerns of the shadow Secretary of State for Justice about this happening at the last minute. As we know, court closures have been announced today, including the court in my constituency. This announcement has also come on the last day before the summer recess, so I do understand the hon. Gentleman’s point and have some sympathy with him.

I thank the hon. Gentleman for giving me notice that he wished to raise this matter. I agree that it is unsatisfactory if the Government make major policy announcements when the House is in recess, since those announcements cannot be subject to immediate parliamentary scrutiny. Departments should not plan to do this, but I appreciate that it is sometimes inevitable and that it may, on occasions, be necessary for the Government to announce matters when the House is not sitting.

I note from the number of written statements listed on today’s Order Paper—21 in total—that Departments do attempt to avoid this, but making a host of last-minute announcements on the day before the recess is, of course, quite unhelpful to all Members affected on both sides of the House and the people they represent.

**Chris Stephens** (Glasgow South West) (SNP): On a point of order, Mr Deputy Speaker. I have given advance notice of this both to Mr Speaker and the Secretary of State for Defence.

When I arrived home last Thursday evening, I saw on the television screen that the Secretary of State for Defence had been filmed in the Govan shipyards in my constituency. I have not yet received notification from the Secretary of State that he was planning to visit the Glasgow South West constituency. Surely a member of the Cabinet should adhere to the parliamentary protocols of this House. Is there a way that the Executive could be notified of the parliamentary protocols when they, in their positions as Ministers, are visiting the constituencies of other hon. Members?
Mr Deputy Speaker: You are absolutely right—it is a well-established convention that we do tell each other when we are visiting Members’ constituencies. I think that the Secretary of State for Defence is a very courteous gentleman, and I would like to think that this is an oversight. The matter is certainly on the record. I am sure that the Secretary of State will reflect on this when it is mentioned to him and drop the hon. Gentleman a note. I would say to all Members that it is discourteous not to let others know about visits. I do not care which side of the House it comes from; we should do the right things by this House and the right things by each other.

Civil Aviation (Accessibility)

Motion for leave to bring in a Bill (Standing Order No. 23)

3.20 pm

Helen Whately (Faversham and Mid Kent) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about the accessibility of air travel for people with disabilities; to establish requirements about parking at airports for people with disabilities; to require airports and airlines to report steps taken to improve accessibility; to require a named person to be responsible for air passengers with disabilities; to make provision about the design and adaptation of aircraft to meet the needs of passengers with disabilities; and for connected purposes.

Uncomfortable, unsafe and undignified: those words sum up the experience of air travel for many disabled people. Imagine being strapped into a chair and hoisted up on to a plane in front of dozens of other waiting and watching passengers. One wheelchair user told me that that made him feel like a circus act. Then there is the waiting, with disabled passengers sitting in the plane while their friends, family or colleagues are already well through arrivals. That hit the headlines earlier this year when Frank Gardner, the BBC security correspondent, was left on an empty plane at Heathrow for an hour and a half while staff scrabbled about looking for his wheelchair. His angry tweet was liked over 10,000 times and retweeted nearly 5,000 times.

Some of us are looking forward to foreign holidays over the recess, but flying is not a luxury and it is not just for leisure. In a world that is becoming ever more connected, many jobs demand frequent air travel, as my colleagues from Scotland and Northern Ireland will know. It is unacceptable for those jobs to be unavailable to disabled people: that is discrimination. I first became aware of this problem when my constituent Dustine West, who has a spinal injury, came to my surgery and told me that he had driven to Gatwick last year only to find that all the disabled parking bays were full, despite having pre-booked one.

If that is how difficult it is just to arrive at the airport, imagine what the rest of the journey is like. Once the person gets to the airport, staff at the check-in desk may not be trained to recognise their disability and might not know how to help them, especially if it is a hidden disability such as autism or dementia. If the person is deaf, they will not hear an announcement of a last-minute change of gate and might end up missing their flight as a result. As a wheelchair user, they may be the last person to board, manhandled into their seat in front of a packed cabin—a mortifying experience. Once they are in their seat, they cannot get out, even to go to the toilet. I have heard that people avoid drinking water for hours before a flight so that they are not caught short, and also use incontinence pads. I was told about a disabled teenage boy being ordered to evacuate his bowels before boarding the plane—ordered to do so.

During the flight, the wheelchair may be stored in the hold and could be lost. It is annoying when the airline loses your suitcase, but if you lose your wheelchair, Mr Deputy Speaker, it is like you or me losing our legs. If it is not lost, it may a bay be damaged. Airlines pay £1,500 in compensation for damaged equipment, but that is only a fraction of the cost of a wheelchair, especially a modern power wheelchair. For instance, a
young woman told me about her first business trip at a new company. It was a day trip to Frankfurt with the team manager, with a packed schedule of meetings but no leeway allowed for all the extra time that would be required because she was in a wheelchair. They were late to arrive and had to leave early. The culmination was several hours waiting at the end of the day at Heathrow because the airline broke her wheelchair. There was no insurance that would cover it, so she had to pay the bill herself, although fortunately she was able to pass it on to her employer, but that is another unhelpful disincentive to employing people with disabilities.

These stories are common, but thankfully not every journey is like this. I have heard some good stories. One disabled traveller spoke highly of Virgin and how well prepared it was to support her. I am told that Spain has an excellent system at its airports called “sin barreras”, or “without barriers”, which means that people get a consistently good, standardised experience across airports. However, experiences vary between airports, between airlines, and between routes. That lack of consistency means that disabled people never know what to expect when booking a flight.

The Government have recognised this and have been working closely with the airlines and airports to make improvements. The Government’s latest document on their aviation strategy refers to the importance of training for airline and airport staff in helping people with disabilities, and the need to look at future aircraft design, including how to make sure that planes have disabled toilets. We are already seeing improvements. The Civil Aviation Authority’s report on accessibility, which was published two weeks ago, classified 16 airports as “very good”—that is up from six in the previous year—but there is more that can and should be done to make travelling by air with a disability easier every step of the way.

This Bill will help to make flying more accessible for all—it will make flying fairer. First, it will mandate a minimum proportion of disabled parking bays in airports and make the industry look at how to make dropping off disabled passengers easier. If a carer is needed in order to travel, let us see the cost of the carer's ticket covered by the airline, because it should not cost a disabled person double to travel. Staff at airports and on planes must be better trained so that the whole journey—from car park, to check-in, to getting off the plane—can be painless and dignified. Wheelchairs should be kept safe during the flight, with as many as possible stored in the cabin rather than in the hold. If wheelchairs have to go in the hold and are damaged, there needs to be compensation that reflects the actual cost of the damage. There should be no more passing the buck; there should be a named person responsible for a disabled passenger for their whole journey. In the longer term, planes should be designed with disabled passengers in mind—for instance, with disabled toilets and enough space for all wheelchairs to be stored in the cabin.

The CAA has a powerful role to play in making sure that the airline industry steps up and takes this seriously, so this Bill will place a legal requirement on airlines and airports to send reports about accessibility to the CAA, which can then name and shame the worst, not only giving disabled passengers more information when booking flights, but incentivising improvement in its own right. We have already seen how powerful this can be. Heathrow, for example, has made huge improvements since the CAA called out areas where it was letting passengers down. I would also urge the Government to consider how they can empower the CAA to enforce regulations.

But this is not just about regulating the airline industry; it is about equality for the 3 million disabled passengers who fly to and from the UK every year. This week, disability campaigners from around the world have travelled to London for the Global Disability Summit, but their journeys may well have been a nightmare. Disabled people should have the same opportunities and freedoms as able-bodied people. While most of the population have benefited from air travel becoming easier, cheaper and part of everyday life, the thought of getting on a plane fills many disabled people with dread. Let us end this discrimination and make flying fairer—that is the intention of this Bill.

Question put and agreed to.

Ordered.

That Helen Whately, Heidi Allen, Dr Lisa Cameron, Alex Chalk, John McNally, Alex Cunningham, Michael Fabricant, Kate Green, Lady Hermon, Jeremy Lefroy, Mrs Maria Miller and Dr Sarah Wollaston present the Bill.

Helen Whately accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 23 November and to be printed (Bill 257).
The motion before the House have been investigated by the Parliamentary Commissioner for Standards and reported on by the Committee on Standards. I thank the former commissioner, Kathryn Hudson, and the current commissioner, Kathryn Stone, for their work. I also thank the right hon. Member for North Antrim (Ian Paisley). Mr Paisley did a meticulous job of investigating this matter over a full process of investigation and consideration by a recognised due process. This motion follows the publication of the Committee on Standards’ third report of the Session, on the hon. Member for North Antrim (Ian Paisley). The report was published on Wednesday 18 July, and the Government sought to schedule a debate as quickly as possible, in line with usual practice.

The matters before the House have been investigated by the Parliamentary Commissioner for Standards and reported on by the Committee on Standards. I thank the former commissioner, Kathryn Hudson, and the current commissioner, Kathryn Stone, for their work. I also thank the right hon. Member for North Antrim (Sir Kevin Barron), the Chair of the Committee on Standards, and other members of the Committee for their work in producing last week’s report. The Committee has concluded that there has been a failure to meet the standards expected by the House, and the Committee considers that hon. Member for North Antrim has “committed serious misconduct”.

Members may have noticed that the motion originally tabled under remaining orders last week has been slightly altered. This follows correspondence between me and the Chair of the Committee on Standards in which he clarified the Committee’s recommendations. The letter from the right hon. Member for Rother Valley reads:

“The Committee’s recommendation was that Mr Paisley should be suspended from the service of the House for a period of 30 sitting days beginning on 4 September. The intention of the Committee was that Mr Paisley should forfeit his parliamentary salary for an equivalent period, i.e. 30 days. However, I understand that the effect of simply suspending him for a period of 30 sitting days, without making separate provision for his salary, is likely to be that he will automatically forfeit that salary for a longer period than 30 days, because of the inclusion of non-sitting days in the overall period of suspension. That was not the Committee’s intention.”

I have therefore tabled today’s motion, which reflects the Committee’s intended recommendations.

The motion before the House therefore approves the report of the Committee on Standards, endorses the Committee’s recommendations and proposes suspension for 30 sitting days and withdrawal of the salary of the hon. Member for North Antrim for 30 days. I commend the motion to the House.
is that the rule, as it stood in 2014, prohibits advocacy that seeks to confer benefit exclusively on a body outside Parliament from which Members have received a financial benefit. Mr Paisley claims that his letter to the Prime Minister was not seeking to confer a benefit exclusively upon Sri Lanka in that the British Government stood to benefit too because they

“would not have had to pay for the internationalisation of the internal political affairs of another country through the auspices of the UN.”

We were not persuaded by this argument. We point out that, in diplomatic terms, the UK would arguably have suffered at least as much as it gained by withdrawing its publicly announced support from an initiative aimed at promoting international human rights observance. In financial terms, Mr Paisley supplied no evidence to support his view that this shift in policy would have saved money for the UK Government. We think that it is entirely reasonable to interpret his letter to the Prime Minister as seeking to confer a benefit exclusively on the Sri Lankan Government.

Mr Paisley’s other argument arises from an apparent inconsistency in the guidance provided in 2014 on the paid advocacy rule. The Registrar of Members’ Financial Interests drew our attention to this matter, which had not been raised in the commissioner’s original memorandum. We thought it only fair to share the information with Mr Paisley, and offer him the opportunity to submit further evidence addressing this point. He has done so, and we have carefully considered it.

I should mention that we and the commissioner have been careful throughout this investigation to assess Mr Paisley’s conduct against the rules and the guidance that actually applied back in 2013 and 2014, taking no account of any subsequent modifications that are not relevant to the case. Although we acknowledge that there was indeed inconsistent guidance in 2014—the House has subsequently put that right—we are clear that this does not exonerate Mr Paisley from breaching the paid advocacy rule. We set out our reasons in paragraph 27 of the report, but I will mention just the first reason because it is decisive in itself. Even if one accepts Mr Paisley’s interpretation of the rule, rather than that of successive commissioners, it would only exempt Mr Paisley’s own visit to Sri Lanka from the application of the rule; it would not exempt those of his family, which represent a significant financial benefit received by Mr Paisley.

We were therefore in no doubt that the commissioner was right to find that Mr Paisley breached the rules in respect of registration, declaration and paid advocacy. In assessing a suitable sanction, we considered what might be taken to be mitigating and aggravating factors. Mitigating factors are Mr Paisley’s apology for failing to register, his recent activity in analysing the likely costs of the visit, and his acceptance that he needed a “far greater understanding” of the rules. Aggravating factors are the scale of the unregistered, undeclared hospitality received by him and his family, grounds for thinking that the failures to register were, to use the commissioner’s words, “not inadvertent”, and his delays in dealing with the commissioner in the early stages of her inquiry.

Taking these factors into account, we concluded that Mr Paisley had committed serious misconduct, and that his actions

“were of a nature to bring the House of Commons into disrepute”,

which is a further breach of the code of conduct. Because we regard this as an especially serious case, we have recommended that Mr Paisley be suspended from the service of the House for a period of 30 sitting days, starting on 4 September 2018.

The motion before the House today makes separate provision for the withdrawal of Mr Paisley’s salary, and I should say a word or two by way of explanation about that. The intention of the Committee was that Mr Paisley should be suspended from the service of the House for 30 days, and that he should forfeit his parliamentary salary for an equivalent period—that is, also 30 days. However, I have been advised that the effect of simply suspending him for 30 sitting days without making separate provision for his salary is likely to be that he will automatically forfeit that salary for a period longer than 30 days, because of the inclusion of non-sitting days in the overall period of suspension. That was not the Committee’s intention. In retrospect, we could have been clearer about that in the wording of our report. I am therefore grateful to the Leader of the House for having acceded to my request to table today’s motion in a form that makes clear the Committee’s intention and avoids any ambiguity over the period of time for which Mr Paisley’s salary will be withdrawn.

We also recommend that Mr Paisley should register the benefits he received from the Sri Lankan government, which will be italicised in the Register to indicate that they are a late entry.

Finally, I should mention that the lay members of the Committee played a full and active part in the drawing up of the Committee’s report, which they are in full agreement with.

Question put and agreed to.

Mr Speaker: The House has agreed to the motion in the name of the Leader of the House to suspend the hon. Member for North Antrim (Ian Paisley) for 30 sitting days. Under the terms of section 5 of the Recall of MPs Act 2015, I am now required to write to the relevant electoral officer, informing him or her that a Member has met one of the conditions that make the Member subject to a recall petition under that Act, namely that, following a report from the Committee on Standards in relation to the MP, the House of Commons has ordered the suspension of the Member from the service of the House for a period of 10 sitting days or more. Any recall petition will be administered in accordance with the provisions of the Act by that electoral officer. For those who take a keen interest in these matters—I am partly taking the time to state all this because it is the first occasion upon which I have been required so to act—I would add that the electoral officer has 10 working days to set up and open the petition for signature, or longer if it is not practicable to do it within that time. If the petition achieves the necessary number of signatures—at least 10% of the number of eligible registered electors in that constituency—in the specified period of six weeks, the electoral officer notifies me and the seat is made vacant from the date of that notification.

I hope that explanation is helpful to the House. This is a regrettable state of affairs, but I thank the Leader of the House for what she said in moving the motion and I would like to thank the right hon. Member for Rother Valley (Sir Kevin Barron), the Chair of the Standards Committee, for briefing the House in the way that he has done.
Summer Adjournment

Motion made, and Question proposed,
That this House has considered matters to be raised before the forthcoming adjournment.—[Mims Davies.]

3.45 pm

Sir Peter Bottomley (Worthing West) (Con): I am grateful for the chance to speak. If my leg stops me being here at the end, it is not that I want to miss the reply from the Minister, but I want what I say to be shared with the Metropolitan police, the Crown Prosecution Service, the Secretary of State for Justice and the Home Secretary. I will send it to the Prime Minister as well, who, in answer to my question at Prime Minister’s questions some months ago, remembered the meeting I had with her when she was Home Secretary. It goes back to the disgraceful case of the prosecution of former Sergeant Gurpal Virdi, one of the finest Metropolitan police officers I have known. I could go through a great deal of detail, but I will respect my colleagues who also want to speak.

Perhaps I can start by saying that, when speaking about the police, what comes to mind are stories of reliability, calm bravery and dedicated individuals. I hold Gurpal Virdi in the highest regard, both as an officer and as a friend. I have known him and admired him for nearly 20 years. It was an honour to be with his family at New Scotland Yard when senior officer Bernard Hogan-Howe—before he became Commissioner—apologised on behalf of the then Commissioner for the treatment Gurpal had been subjected to by the Metropolitan police. Hogan-Howe awarded him with a delayed special commendation for exemplary conduct in the case of a near fatal attack on a foreign student. How is it possible that such an impressive officer could be persecuted and prosecuted in both service and in retirement?

Stephen Lawrence lived and was murdered in my former south-east London constituency. I was aware of many of the deficiencies in the police investigation of that attack. Gurpal set a higher standard for policing. There were consequences to his commitment to combating racism and his initiatives following a west London case, where he found the weapon, arrested two suspects and visited the visitor’s home. The trouble for him started when he asked whether it had been recorded as a potentially racist attack. Until cleared, Gurpal faced grim and persistent discriminatory action by his employer. I was one of those who stood up for him and advocated his innocence.

I do not have the words to properly describe the horror I felt when the CPS and the Metropolitan Police Service mismanaged the case that turned up 27 years after alleged events, and after Gurpal Virdi had retired, decided to go into local political service and was adopted to stand as a Labour councillor in Hounslow. His case was heard in 2015 in Southwark Crown Court. It lasted a week and ended with Gurpal’s inevitable acquittal. In the public gallery, I watched and listened as prosecution witnesses, whose evidence was highly dubious or vague beyond belief, took to the stand. It was clear that he was not guilty of misconduct in public office. Charges were thrown in so that, if he were found guilty of an indecent assault on a young person, term could be added to the sentence. He had not assaulted a youth in a police van. The accusations were absurd and unjustified.

As Judge Goymer said in his summing up, which was admirably balanced, the chief prosecution witness, a former officer called Tom Makins, denied there had been an assault; denied it had been sexual, and in particular denied that Gurpal Virdi or any other officer he had known had had a collapsible police truncheon, which the complainant claimed had been put up his bottom. There was no criminal evidence that a crime had been committed and there was nothing to indicate that Gurpal Virdi had even been present. There are two bits of evidence that the police eventually disclosed, one of which they were aware of within days of the complaint first being received. It was that an officer arrested the complainant in the autumn of 1986—I am being slightly vague, because the person claimed to have been under 16 at the time, or actually, he had not claimed it, but the police thought he had claimed it—and the only surviving record from that arrest showed that it was by a PC Markwick, who was not interviewed by the police officers in the department of professional standards in the 15 months that it took to investigate.

The second bit of evidence that survived was the court record showing that Gurpal Virdi and an officer called Mady had arrested the complainant in the spring of 1987 and that, because the person was young, he was held in cells overnight and appeared in court the next day. When the person made the complaint, he did not mention the second arrest at all. He claimed that someone called George had arrested him the first time but, with the second arrest, he did not mention it in any of his interviews to the police, so the one thing that could be confirmed was left out of his memory, and the one thing that could not be confirmed was what the case was built on.

I could go on at length because I know the case backwards, but before it came to trial I wrote to the Director of Public Prosecutions, the head of the Metropolitan police and the Home Secretary, spelling out that the statements from the so-called police witness—Mr Tom Makins, who I do not believe was there either—contradicted six of the major statements of fact made by the complainant: where the person was arrested, why he was arrested, what kind of police van it was, what happened in the police van, whether there was an indecent assault at any time and what was said to have happened in the police station afterwards. Tom Makins contradicted in terms every single one of those significant statements.

Let me go through the trial—I will abbreviate this, because I know that 29 other people want to speak. Before the trial, I had asked the Crown Prosecution Service and the police to note the names of everybody who made a significant decision in this case. After the case, Gurpal Virdi complained to the Independent Police Complaints Commission, as it was in those days, and what did it do? It referred the case to the head of the department of professional standards in the Metropolitan police—the people who cooked up the case against him in the first place.

I know my colleagues think that this is unbelievable, and so would I, if I had not been involved in it step by step and had not been in court. I say to people on the Front Bench: please make sure that the Minister for Justice and the Minister for the Home Office get together with the police and the CPS and ask what kind of inquiry they are going to have to review the decisions
that were taken all the way through. Sir Richard Henriques looked into some of these issues over the accusations of indecent assault by people such as Leon Brittan, Ted Heath and others. I demand the same kind of inquiry for Gurpal Virdi—not a well-known person, but one of the best police officers we have got—because if this injustice is allowed to continue unnoticed, without investigation, I think this House does not have the power that it ought to have to try to bring justice to ordinary people.

I say more gently through my hon. Friend the Minister to Cressida Dick, the Metropolitan Police Commissioner, and to whoever succeeds Alison Saunders as the Director of Public Prosecutions at the Crown Prosecution Service: please get together and say what you two believe is the right way to have an experienced person review the evidence that I have put forward in part today—and is put forward in rather larger part in Gurpal Virdi’s book, “Behind the Blue Line”—and take evidence from Matt Foot of Birnberg Peirce, Gurpal’s solicitor, and Henry Blaxland QC, of Garden Court Chambers, who represented him in court. Until that happens, I cannot have the confidence I want to have. I would much prefer to go back to praising the police for the good things they do and the bravery they show in answering every blue-light call, every incident of domestic violence, terrorism issues, keeping order on the streets, preventing crime and helping young people to grow up well. Until this happens, my confidence is shaken, and I hope that those who have heard me join me in asking for the kind of inquiry that the police and CPS should voluntarily commit themselves to.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. We will start with a time limit of seven minutes, but of course we have two maiden speeches to come, so that might have to be adjusted accordingly.

3.54 pm

Clive Lewis (Norwich South) (Lab): It is a pleasure to follow the hon. Member for Worthing West (Sir Peter Bottomley).

Some Members will have heard me speak before in the Chamber about the closure of the Britvic and Unilever factories in Norwich, corporate acts that will see hundreds of job losses and millions of pounds stripped and lost from the wider economy. If hon. Members are interested—and they obviously are because they are here—Colman’s was started in the early 1800s by Jeremiah Colman, and the mustard brand, as many others will know, has become a household name across the country. When I was a young lad, we did not ask that Colman’s was a total sham, with Britvic providing no real evidence for the closure and refusing to listen to alternatives put forward by workers that could have resulted in huge savings, kept the plant open and kept the workers in their jobs.

It was hardly a surprise when in December Britvic announced it would be moving its operations elsewhere. This was announced alongside a promise that it would treat the workers fairly and minimise the impact on the local community, which it did by offering workers the statutory minimum redundancy package. Seven months down the line and Britvic has shown absolute disdain for the community of workers that has united against this injustice, refusing to meet with union representatives and workers or to improve the redundancy package. As a result, the GMB trade union has been forced into an unprecedented situation where its only option is to strike. I stand in complete solidarity with these workers, who have planned 18 days of strikes over the next six weeks, and I think it a total disgrace that Britvic has shown no concern for the wellbeing of its employees.

Some people will shrug and say, “That is the way of the world.” Others will say that there are plenty of other jobs for the sacked workers to go to, but the reality is that hundreds of workers in Norwich have been cast adrift by a Government and an economic system that has let all of us down again, a system that legitimises Britvic in saying these closures for the community of workers that has united against the very people who helped to make the brand. It was hardly a surprise when in December Britvic announced it would be moving its operations elsewhere. This was announced alongside a promise that it would treat the workers fairly and minimise the impact on the local community, which it did by offering workers the statutory minimum redundancy package.

In that time, Colman’s has also become an integral part of the very fabric of our city. The loss of money and jobs is part of the story, but the closure will have a real effect on the people of my city. Psychologically, it is a blow to the identity of Norwich, our history and our heritage. I am confident that we will recover—it is a resilient city—but none the less it is a blow.

As if that were not enough, I must now tell the House of the disgraceful way in which the workers and their trade union representatives have been disregarded by Unilever and especially Britvic. Some of these staff are third-generation workers from families who have committed their entire working lives to a company that has now decided to leave the city, completely forgetting that they were the very people who helped to make the brand. When Britvic made the announcement about the Norwich closure, it stated that it was simply a proposal and that the final decision had not been made. It promised to run meaningful consultations and to listen to the issues raised, yet, just two days after the announcement, it started offering voluntary redundancies to members of staff. That is not the action of a company committed to meaningful consultation, and the consultation that followed was a total sham, with Britvic providing no real evidence for the closure and refusing to listen to alternatives put forward by workers that could have resulted in huge savings, kept the plant open and kept the workers in their jobs.

I applaud the valiant efforts of the unions, Norwich City Council, Norfolk County Council and the local enterprise partnership to find a viable solution and keep those jobs in Norwich, but I cannot say the same for the Government. When the issue came to a head at the end of last year, the Secretary of State for Business, Energy and Industrial Strategy and the hon. Member for Norwich North (Chloe Smith) promised that they would do all that they could to save the jobs of those workers. Where
is the evidence to show that they did anything of the sort? In fact, they have simply become part of a Government who have failed to understand the lessons of the past 35 years, which show that Government cannot be a spectator when it comes to industry.

The Government like to portray themselves as the party of business, but this is a prime example of how they have encouraged a system that works for the shareholders, not the workers. They have created a system whereby companies can pick and choose the members of a so-called “independent” consultation group, and a system whereby workers are only allowed reactive rights to challenge the authenticity of a consultation process after they have already lost their jobs. That is a disgrace.

I am devastated by the way in which the closures have been handled, and the disregard that the companies have shown for their workers and communities. I believe that we must review and overhaul the process by which we deal with site closures, closing the loopholes that help companies to flout the rules with little or no consequences once the gates are closed and production halted. When will the Government step up and create a safe and secure economic system that takes seriously the issues of de-industrialisation and unemployment in the most economically vulnerable towns and cities in the UK? It is not too late to intervene and ensure that these workers are listened to and treated with the respect that they deserve. The Government owe that to the workers at Britvic and Uniliever, and they owe it to the city of Norwich.

4.1 pm

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): Thank you, Madam Deputy Speaker, for allowing me to catch your eye in this important debate. I wish to raise four matters: the negative revenue support grant for Stroud District Council, the missing link on the A417, M4 and M5, the reasons for making the Cotswolds into a national park, and—this is the most important issue—the delays in the completion of a £400 million contract awarded to the Fire Service College at Moreton-in-Marsh in my constituency.

Stroud District Council sent a petition to the former Secretary of State for Communities and Local Government, my right hon. Friend the Member for Bromsgrove (Sajid Javid). It explained that when it accepted the four-year revenue support grant settlement, it did so on the basis that business rates would remain the same, with 100% retention, and that the new homes bonus would also remain the same. It has subsequently been reduced. I suppose that and that the new homes bonus would also remain the same. It has subsequently been reduced. I suppose that the most worrying aspect of the negative revenue support grant is the fact that it affects 147 out of 200 district councils in England. Not only will councils not receive any of the grant next year, but some councils, such as Stroud, will have to pay money back to the Treasury.

The petition sent to my right hon. Friend reads as follows:

“Stroud District Council strongly objects to Central Government introducing a new stealth tax on local households by demanding the payment of £549,000 from Stroud District to the Treasury in 2019/20… It is a complete reversal of financial support and is a worrying precedent which seriously threatens the Council’s ability to continue providing essential local and facilities; especially if this payment turns out to be the thin end of a stealth tax wedge which will see ever larger… payments of money siphoned off from local households to Central Government… Council therefore determines to lobby Central Government, through the District’s two Members of Parliament… for removal of the so-called Negative Revenue Support Grant of £549,000.”

There will be a review later in the summer, and I strongly urge my right hon. Friend the new Secretary of State for Communities and Local Government to conduct that review in a way that is more favourable to one of the two district councils that I represent.

The second subject that I wish to raise is the missing link on the A419-A417, about which I have campaigned for some 15 years. It is a highly dangerous stretch of road on which, sadly, there have been far too many accidents and far too many fatalities in recent years. It is a very busy road that links the M4 to the M5. Finally, after a lot of campaigning, we had a public consultation earlier this year in which two routes were published. Option 30 was chosen, and it is very important that the Secretary of State lives up to his promise of announcing a preferred route at the beginning of next year, so that we can get on to the development consent order process and get diggers into the ground and start work on this important road in the very early 2020s.

Alex Chalk (Cheltenham) (Con): I thank my hon. Friend for raising such an important point about the A417. Does he agree that the death of a young soldier in May on this treacherous piece of road underscores the importance of delivering that vital project, which is crucial for safety, air quality and the economy of Gloucestershire?

Sir Geoffrey Clifton-Brown: The death of that young man was tragic, and I feel very sorry for his parents and his family. Unfortunately, this is just one of a number of fatalities, as my hon. Friend, who has worked with me very hard on this project, knows only too well. That is why it is imperative that this road scheme goes ahead, and he and I will shortly hold a meeting with the Treasury to make sure we get enough money for it.

The third subject I wish to raise is why the Cotswolds should be designated as a national park. Already 80% of my constituency is designated as an area of outstanding natural beauty. It is, as many Members will know, an important natural landscape and built environment, and I want to make sure that it continues to be protected so that our children and grandchildren can continue to enjoy this very special place. To that end, the chairman and chief executive and I visited the chief planner of the South Downs national park to see how well it operated, and we were impressed. We were also impressed by the number of similarities between our area and the SDNP—it covers 15 local authorities, and a national trail goes right through the middle—and that it seems to work very well in planning terms. There is a high standard of planning in the SDNP; it has very few call-ins, and when it does have appeals, it seems to win most of them because of the professionalism of its planning team. We could learn a lot from that, and the Cotswolds will get increased resources to pay for a lot of that if we are designated as a national park.

The defence fire and rescue contract was recently awarded, and announced publicly, to the Fire Service College in Moreton-in-Marsh. This contract is worth about £400 million over 12 years to the college. It will secure vital jobs in a part of my constituency where jobs
are desperately needed—the north of my constituency, which is a very rural part—and my constituents and the FSC employees were looking forward to running this contract, but it seems to have run into some delay. That is most regrettable, and I call on the Ministry of Defence to resolve whatever difficulties there are—I am not entirely sure what they are—as quickly as possible, because that would provide certainty for the workforce. This contract is much needed in my constituency.

I have had discussions with my hon. Friend the Member for South Thanet (Craig Mackinlay), whose constituency contains Manston airfield where this activity is currently based, and he is very happy and wants to see this contract resolved as quickly as possible, because Manston airfield can then be used for an aviation freight hub opportunity and for further houses, which are desperately needed in his constituency.

I therefore call on the MOD to resolve the problems and to keep me, as the constituency Member of Parliament, informed. I should add that I have received superb help from the all-party group on fire safety and rescue. My hon. Friend the Member for Southend West (Sir David Amess) is present, and I thank him for his support over many years and months. The group’s members have visited the college in Moreton-in-Marsh and seen for themselves the world-renowned excellence of this institution, and it will be made even better and the entire country will benefit if we can get this contract there and it can start selling its services to the rest of the world by proving, through this defence fire and rescue contract, that it is superb at what it does.

4.9 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): It is good news that I have been called to speak so early, and I want to start with some good news relating to the last time that I was in this slot. I like to use this debate for unfinished business, and last time I mentioned a business in Park Royal called Sweetland, a baklava manufacturer of distinction. It is a patisserie that makes middle eastern food that goes to restaurants all over the west end, and it was having problems with HS2 over late payments relating to its relocation. The Lord Commissioner of Her Majesty’s Treasury, the hon. Member for Blackpool North and Cleveleys (Paul Maynard) was the Rail Minister at the time, and he beavered away on this. As a result of his efforts and those of the Deputy Leader of the House, the company got its payments. In more good news, I am pleased to say that I was able to cut the ribbon the other day at the shiny new Sweetland factory in the East Acton ward. The company is very pleased.

I hope that the same magic can be worked again with a couple of other businesses whose cases I want to raise this afternoon. Next door to Sweetland is Med Food, which supplies olives. I emerged from there recently laden with jars of olives in different suspensions and flavours. It has not had a great time from HS2. Its relocation is being queried at every turn, and a receipt for bubble wrap that came in at under £200 was queried as unreasonable. Bubble wrap is the kind of thing that people need if they are relocating many hundreds of cubic metres of stock, and I wonder whether the Minister will look into Med Food’s case.

Altenergy of Chiswick, London, W4, is a solar PV panel manufacturer. Its business was booming as recently as 2011, when it was among the top 100 companies in that field. However, the industry has collapsed over the past couple of years, and the company’s turnover has gone down by 80% since the end of the feed-in tariff scheme was announced in 2011. This is part of a pattern from this Government. They used to want us to hug a husky, but now we see their love of nuclear power at Hinkley Point, which is actually two nuclear power stations, and their Heathrow expansion, which they pushed through the other day, is completely at odds with what they used to believe in, as is all the rest of the un-green stuff that they are doing now.

Will the Minister tell us what will happen to Altenergy of Chiswick, London, W4? The company wants policy clarity and fair treatment for rooftop solar, which is a popular type of renewable energy. It is cheap and obviously green; it is the most popular thing in the global renewables market. It dominates the market globally, but in this country, our Government seem to be dangerously in hock to the nuclear industry, which is getting all the subsidy. Altenergy is very worried. It used to have large offices, but it has now relocated to a shed belonging to the chief executive officer, Rajiv Bhatia. It has massively downsized. It used to employ 50 people, but it now employs just a handful. Can the Minister give me any assurances about what will happen when the feed-in tariff goes next year? The company wants to know about net metering, which would provide some certainty. There is no indication that the export tariff will be maintained after 1 April. May we have some assurances on that? Quinn McGovern from Elan Global Renewables of Acton, W3, is in a similar predicament. Several of these companies are wondering whether they might be about to go to the wall.

The issues being experienced by those businesses are not Brexit-related, but I shall now come to the Brexit-related ones. Hamish Orr Ewing of Ealing, W5, is a wine merchant who runs Wine Source Group, an importer of fine wines. He is concerned that the Government’s plan to ensure that importers pay VAT up front would “be terminal for many merchants”. He says that the UK wine industry contributes £9.1 billion to the public purse. He believes this plan to be an act of economic self-harm, and he would like some assurances.

We have heard a lot about the Windrush generation recently, and there are several Home Office-related business issues hitting Ealing and Acton. Manic Textiles wants to hire someone from Ukraine. He is skilled, but the company cannot pay him enough. When is this going to stop? We have ridiculous Government targets for the sake of targets that do not consider the skills gaps in our labour force. People may have seen on BBC News the case of a much-loved teacher at the Christ the Saviour Church of England Primary School who went back to Canada and now cannot come back because he does not earn enough. The situation is just nuts. In every case, the Home Office reply just seems to say, “Tough,” which is a bit embarrassing to pass on to the constituents, so I wonder whether the Department will consider the quality of its responses.

The last case that I want to raise is a really sad one. I was contacted on 12 July by Karl and Abbie Pokorny, who wrote to me to say:

“Our family has had a hard few weeks. Our previously happy and healthy three-and-a-half-year-old daughter has ended up in a drug-induced coma on a heart and lung machine and is on the transplant list, waiting for a new heart.”
[Dr Rupa Huq]

I think that a new heart would have come for this little girl in March 2019, and their question was about EU organ donation. We have heard about Galileo and the European Medicines Agency—luckily, a new clause was passed last week with the aim of keeping us in the EMA—but they were wondering about our access to organ treatment networks. I contacted them this morning to ask whether it is okay to raise Sophie's case this afternoon, and I am sorry to say that she passed at the weekend, on Sunday. Perhaps that particular case—[Interruption.] I am sorry for making the tone a little dramatic—I did not wish to do that—but let us hope that Sophie's death was not in vain. Such things should be uppermost in the negotiations. The answers to my written questions about such things are vague in the extreme and always say "in due course" or whatever.

Anyway, I will end my speech there, because I know that loads of people want to speak. Happy holidays to one and all!

4.16 pm

Sir David Amess (Southend West) (Con): I wish to raise several points before the House adjourns for the summer recess, and I am delighted that so many colleagues have stayed to contribute to this debate. We really need a week to do justice to all the subjects that we cover.

I congratulate my hon. Friend the Member for The Cotswolds (Sir Geoffrey Clifton-Brown) on his speech. We absolutely support everything he said about the college.

I was going to mention teachers' pay, so I am delighted about today's announcement of the 3.5% increase. I hope that that will do something to address the shortage of teachers.

I am delighted to tell the House that the parliamentary photographic competition, started by Austin Mitchell, restarted this year after a three-year gap. I am bragging when I say that I was in the top five, but I hope that colleagues will enter next year. There are wonderful prizes to be won.

I was proud to learn that Southend's adoption service has outperformed other local authorities for the second year running. I congratulate everyone concerned.

I recently met some wonderful police cadets. I thank the volunteers who run the scheme at Southend police station—they do a fantastic job—for giving those youngsters such an excellent opportunity.

I went to the Hampton Court flower show, where Southend's youth offending service gained its 10th medal in 11 years. The team was just one mark off the gold with its wonderful show called "A Place to Think"—I congratulate its members on their work.

I have always supported the Girlguiding movement. I was delighted to visit the 8th Leigh-on-Sea Girl Guides recently to see the wonderful work that they are doing.

Last week I attended a play at Westcliff High School for Boys by N-Act Theatre in Schools. The company was presenting an interactive play called "Friend" that aimed to teach children about the perils of gang culture and how to deal with peer pressure to join a gang. As a Londoner born and bred, I despair at what is happening in our capital city, and we must get everyone together to try to stop the epidemic. I pay tribute to the retiring Chief Constable Stephen Kavanagh of Essex police for doing a wonderful job.
I have a constituent who is upset about the Party Wall etc. Act 1996, which needs to be looked at. Southend airport is wonderful, but I am getting more and more complaints about noise. I am most angry on behalf of Mr Gregory Docherty. Four weeks ago his much-loved wife, Debbie, died of a brain tumour. Within four weeks, South Essex Homes sent him an eviction notice, despite his having lived in his property for 25 years. That is an absolute disgrace. Southend-on-Sea Borough Council is fantastic, and tourism is booming as a result of the wonderful weather. I could go on and on about Southend. It is about time that it became a city.

And Gareth Southgate—what a wonderful job he and his underrated footballers did in nearly bringing football home to this country. Some of us met the Emir of Qatar yesterday, and I suggested that it might be a wonderful World cup final if we saw England play Qatar. I wish you, Madam Deputy Speaker, Mr Speaker, all his deputies and all those who work in this place a very happy summer.

Dr Roberta Blackman-Woods (City of Durham) (Lab): On a point of order, Madam Deputy Speaker. We have been informed via a written ministerial statement that the Government have today published the revised national planning policy framework. It has not yet been laid before the House, and copies are therefore not available for Members in the Vote Office. This seems extraordinary, given the importance of the document to Members on both sides of the House. Is there anything that you can do to ensure that the document is available to Members before the House rises today?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Lady for giving me notice of her point of order. As she says, there is a written ministerial statement today announcing the publication of the national planning policy framework. There is no legal requirement to lay this paper. As she says, it has been published online, although it is not available in the Vote Office. She has put on record her point about the inconvenience that this has caused to her and, I suspect, to other Members, and I think it would be good practice to other Members on both sides of the House. Is there anything that you can do to ensure that the document is available to Members before the House rises today?

Steve McCabe (Birmingham, Selly Oak) (Lab): I want to take advantage of the debate to raise a few issues of concern to my constituents on which the Government could offer some assistance. On smart meters, the Government persist with the fiction that all is well, but we know that that simply is not true. There are problems with smart meters working in the north of the country, and installation figures are well behind schedule. There is no evidence to suggest that smart meters for gas supply are working on a commercial basis, and the Data Communications Company cannot or will not supply any evidence to show that its plan is on track. The promised dividend for consumers is plummeting, and the supply companies are blaming Government plans for increases in customers’ bills. When will the Minister responsible wake up to the fact that she needs to call a halt and conduct a serious review of this programme before she lands us all with a technological white elephant?

Tomorrow marks Louise Brown’s 40th birthday. That should certainly be a cause for celebration, but although we have heard some encouraging words from Health Ministers, we are yet to see any action on fair access to IVF. The plight of one in six couples with a recognised medical condition continues to be ignored by many of the faceless bureaucrats running our health service. The provision of IVF is patchy and reducing across the country. Clinical commissioning groups are allowed to introduce arbitrary criteria to ration the service. National Institute for Health and Care Excellence guidelines are simply ignored, and the two-year-old exercise in price standardisation shows no signs of progress. We are supposed to be celebrating 70 years of the national health service, as well as the 40th birthday of Louise Brown, so when will Ministers take the health of those with fertility problems seriously and offer a national level of service to treat their illness?

Once again, my constituency is suffering from the cat-and-mouse game of illegal Traveller encampments. We have been promised a consultation, but what we need is action. We need action to ensure that all local authorities provide some sites for legitimate, law-abiding Travellers; and action to make it easier to remove and ban those who persistently break the law and treat local communities with contempt. This issue affects constituencies up and down the land, so why do the Government persist in ignoring it?

Mr Jim Cunningham (Coventry South) (Lab): We have similar problems in Coventry to those that my hon. Friend mentions, and what he says is right. Many years ago, we used to have proper sites where Travellers could go. They could arrange for their children to go to school and, more importantly, there were facilities on those sites to provide cleanliness. Does he agree that we should do something similar?

Steve McCabe: I agree, and I think that the Government could help by offering some action. The process requires local authorities to work, and the Government need to give a lead.

Last Friday, I saw two women in succession at my advice centre who were living in a local Travelodge with their children. They are homeless, and both the victims of domestic violence. What is happening in the 21st century in this country that means our response to women and children fleeing domestic violence is to condemn them to a life of hostels and Travelodges? These establishments have no cooking or laundry facilities; children are forced to live on McDonald’s and other takeaway meals.

Ruth Smeeth (Stoke-on-Trent North) (Lab): My hon. Friend is making an incredibly important speech. Does he agree that the situation is made even worse in the summer holidays, when children do not have access even to free school meals?

Steve McCabe: Yes, that is a real consideration. The situation is bad enough at any time, but it is much worse in this period. The reality is that these poor women are forced to spend their meagre incomes on takeaway meals.
meals and at laundrettes. Surely a civilised society ought to be able to do better, and surely these women and their children deserve better.

Finally, I learned this week that phone giants Vodafone and O2 plan to ride roughshod over my constituents’ views and erect a 17.5 metre phone mast in the heart of George Cadbury’s garden village of Bournville. They have not consulted local residents because they are not interested in their views, and they have not obtained proper planning permission. Apparently, officers at the planning authority, in their wisdom, missed the deadline for registering the application, which had previously been refused, by one day. Vodafone and O2 pounced on that error to claim planning permission by default.

These are the people who stand accused of ripping off the British taxpayer through £6 billion in tax avoidance. Their profits are all that matters. Their chairmen do not have the courtesy to reply to letters from the local MP and even refuse to meet local residents. I wonder how Mark Evans or Gerard Kleisterlee would like having a 17.5 metre mast in their gardens. These companies are little more than tax-avoiding parasites, and it is time that we took some action to curb their activities. We ought to think seriously about measures to exert far more control over these people, who do not care about our country, our people or our environment.

4.31 pm

Bob Blackman (Harrow East) (Con): It is a pleasure to follow the hon. Member for Birmingham, Selly Oak (Steve McCabe); I agree with his remarks on all the issues he raised.

Let me start by saying that it is welcome news that we are going to see increased pay for public sector workers. That is particularly true for health workers, who do such a brilliant job for us. However, I have been contacted by staff from St Luke’s Hospice, and by people from the hospice movement in general, who say that they are concerned that they are charities that raise more than two thirds of their money from charitable giving, but they have to pay their staff in accordance with health service rates. That means that they will have to raise more money through charitable donations to pay the increased rates. I want to see Government action to ensure that the hospice movement has additional funding so that the money from charitable donations does not just go to pay the staff who do such a brilliant job.

My Homelessness Reduction Act 2017 came into force on 3 April, and the hon. Member for Birmingham, Selly Oak spoke about the problem of homelessness. The reality is that from 3 April, no one—but no one—should have been forced to sleep on our streets because there is nowhere for them to go. Up to 36 days before someone becomes homeless, the local authority should intervene to prevent that from happening and make an offer of housing.

There is still unfinished business, though. I note that at Question Time on Monday the Ministry of Housing, Communities and Local Government seemed to have adopted my Act as its own. I am delighted that it has done so, but it took me a year of effort to get it on the statute book. I am glad that Ministers endorse it, but there is still unfinished business, because regulations are due in October to ensure that other Government services, such as the health and prison services, as well as numerous others, refer people at risk of homelessness to local authorities to ensure that they do not become homeless. That includes people who have served in our armed forces and many others, including children leaving social care. We have yet to see the regulations; it is time that the Government laid them before the House so that we are in a position to scrutinise them when we return in September.

Along with several other Members from different parties, I attended the peace rally in Paris to celebrate the National Council of Resistance of Iran. We met Madam Rajavi and many others who are aiming for freedom and democracy in Iran. Little did we know that a terror plot had been launched by the Islamic Revolutionary Guard Corps to try to disrupt that proceeding and threaten our lives and the lives of the 100,000 people who had come to call for freedom and democracy in Iran. I hope that we will take action against Iran and make sure that the IRGC is proscribed as an organisation.

I always take Mr Speaker’s sage advice to persist. I am delighted that I have persisted at Women and Equalities questions for nearly a year. In a written ministerial statement yesterday, finally we got the commitment from the Government to remove caste as a protected characteristic from the Equality Act 2010. Now we need to draw up the legislation and push it through Parliament. Those who put it there in the first place have to consider whether they will accept the challenge from the Government to remove it from the Act because it is unwanted, ill-thought out, unnecessary and extremely divisive for the Hindu, Sikh and Muslim communities across this country.

In some unfinished business, I take the view that our Jain community, of which there are some 50,000 in this country, should have the opportunity to declare on the census the religion of their celebration. At the moment, they have to fill in “other” on the census. I trust that when we come to the census 2021, they will have the opportunity to declare their religion quite openly and satisfactorily. It is very important in many parts of our country.

Equally, on unfinished business, justice for Equitable Life policyholders is still owed by the Government. Some £2.6 billion should go to those people who saved for their pensions but became victims of a scam. Unfortunately, previous City Ministers have decided that they will not meet the all-party parliamentary group, which I have the privilege of co-chairing. I am delighted to say that the current City Minister, the Economic Secretary to the Treasury, my hon. Friend the Member for Salisbury (John Glen), has agreed to meet us at quarter to six on the first day back after the summer recess. I trust that the 230 members of the all-party group will be present in their droves to hold him to account.

Bob Stewart (Beckenham) (Con): Like me, does my hon. Friend feel very strongly that the Government still have a duty to Equitable Life policyholders, and that they should pay what they owe?

Bob Blackman: I thank my hon. Friend for his intervention. Clearly, this is a debt of honour that we have agreed to pay. The debt is still outstanding, and...
until it is paid, we will keep going. I say forcefully to those on the Front Bench that we will keep going with this until the Government pay up.

I have a number of other issues that I briefly want to mention before I sit down. We are rising for the summer recess, but we should remember that the majority of survivors of Grenfell Tower have yet to move into their permanent homes. I trust that, when we return, every single one of them will be moved into a permanent home that is suitable for their needs.

I also wish to raise the plight of Pinner Wood School in Harrow, which was found to be sited on an old mine and was in danger of collapsing. Very rarely do I congratulate Harrow Council, but in this case it took the very sensible decision to knock down the school and make it safe. However, the Government have refused to fund that decision, and are suggesting that the council and the council tax payers should pay for the cost of that safety measure. That is a shame. I do not believe that that is the right decision by the Government, and I trust that I and other hon. Members in Harrow will carry on applying pressure to make sure that the Government cover that cost.

Let me turn now to a couple of local issues. I must take this opportunity to raise the need for disabled access at Stanmore, Canons Park, Harrow and Wealdstone and Queensbury stations. They are all either in my constituency or border my constituency. I have been campaigning on these issues for 14 years. We still carry on the work. The fight will go on until we get proper access at those stations.

Equally, we need to face the challenge of the tri-borough arrangements for policing. This is a retrograde step for policing in London. I believe that there will be a further problem over the summer and I have been making representations on this issue for quite some time. I am concerned that we are not getting the police service that we need on the streets.

My office is experiencing a dramatic increase in the amount of immigration casework right across the piece. This is a concern because action by the Home Office is clearly causing this increase, and I trust that this will desist.

Madam Deputy Speaker, I end by wishing you, Mr Speaker and the whole House a very happy recess, when we will not be on holiday; we will be working.

4.40 pm

Ruth Smeeth (Stoke-on-Trent North) (Lab): I wish to speak briefly on a matter that is of great concern to some of my constituents and that, unfortunately, I could not raise at MoHCoLoGo questions yesterday. That matter is the way in which big housing developers across the UK are failing in their responsibilities to homeowners and residents. This country has a housing crisis; that much is clear. We desperately need more homes, affordable homes and a greater variety of housing stock in order to meet our needs both now and going forward. As a proud representative of the Potteries and chair of the all-party parliamentary group for ceramics, I would add that we should be making sure that we are using British ceramics in every home that we build—which could possibly be better than Staffordshire bricks and tiles? However, as great as our ceramics are, I am here today to discuss the quality of the finish of some of our new homes. This is a very real problem in my constituency.

For months, my constituents on the Bluebell Croft estate and elsewhere in Kidsgrove have been forced to live among unfinished roads and shoddy workmanship because the housing developer, Taylor Wimpey, has simply not bothered to finish the job.

I can testify to the appalling state that the estate has been left in. Roads have not been tarmacked and have been left with raised metalwork, which poses a hazard to drivers. Kerbs and pavements have been left damaged or unfinished. A playground built within the estate has a range of safety issues that have not been addressed, and we are now in the school holidays. It has taken one resident nearly a year to get the streetlights outside her house switched on.

Throughout all this, Taylor Wimpey has refused to engage with its customers. One resident, who has been complaining to the company since she moved in last December, told me that she has been fobbed off every single time. The company has ignored communication from the local councillors for the area and has now ceased to respond to correspondence from me. When invited to attend a public meeting, its representatives declined. This is simply unacceptable. On its website, Taylor Wimpey describe itself as a “community developer” that is “committed to working with local people, community groups...and local authorities”.

This is an audacious description, including almost every group that has been systematically ignored by Taylor Wimpey in my constituency.

My constituents are not the only people to have suffered in this manner, and Taylor Wimpey is not the only big housing developer to believe that it can ride roughshod over local communities. All too often it seems that it is those homes at the affordable end of the market that are most likely to be left incomplete as developers cut costs wherever they can, bulking up their profit margin at the expense of their customers. When it comes to good quality house building, it appears to be one rule for the rich and another for the rest of us.

What is happening in Kidsgrove is not an isolated incident. It is a snapshot of an issue that is recurring up and down our country. Last year, a YouGov survey for the housing charity Shelter found that 51% of homeowners in recent new builds in England had experienced major problems with their properties. These included unfinished fittings, problems with construction and faults with their utilities. More than half of people purchasing these new homes are unsatisfied with their purchase. In what other industry would these statistics be considered acceptable?

If a car manufacturer sold half its vehicles with faulty steering or a water company only managed to get water to half our taps, there would rightly be a national uproar. Yet in our desperation to tackle a very real housing crisis, we have allowed developers to build properties quick and cheap without fear of the consequences. All too often, the behaviour of these big developers goes unchallenged. They have money, expensive law firms and huge PR budgets to make sure it stays that way. But it is my role, and the role of each and every one of us in this place, to ensure that our constituents’ voices are heard. Money may be a great amplifier, but so is democracy.

It is about time that housing developers who act in this way have their mistakes brought to light and are made to answer for them. Taylor Wimpey proudly
Thank you for allowing me to speak, Madam Deputy Speaker. May I wish all colleagues a great working vacation? May I wish you, the other Deputy Speakers, Mr Speaker, the Clerks of the House, the policemen and the people who serve me in the cafeteria but do not serve me in the bars because I do not drink very much a very good summer? God bless everyone, and let us hope that we get things better than we seem to have got them in the last year.

4.50 pm

Susan Elan Jones (Clwyd South) (Lab): It is a great pleasure to follow the hon. Member for Beckenham (Bob Stewart), my hon. Friend the Member for Stoke-on-Trent North (Ruth Smeeth) and all other contributors to the debate.

The main issue I would like to raise is the massive issue of support for older people. I very much hope that, as the years progress, we begin to talk about this issue more in the House. I would like to share some examples from our Welsh Labour Government and local examples from my constituency.

The sharp-eyed will remember that, in Wales, older people’s care is devolved to the National Assembly for Wales, but I raise this subject here today not just because of its relevance in terms of funding settlements, but because I believe that, when it comes to social and economic issues, the nations and regions of the United Kingdom should be keen to learn from one another. I am very much of the view that learning and sharing also means being prepared to tackle head-on the difficult questions that we all face.

Jonathan Baxter and Stephen Boyce reminded us in their research document for the National Assembly for Wales entitled “The ageing population in Wales” that, in 2008, the over-65s made up 18% of Wales’s population and, by 2033, that is expected to rise to almost 26%. That could be euphemistically referred to as a bit of a challenge, but before we descend into doom and gloom, I would like us to consider a little Welsh proverb that translates as, “The old know, and the young think they know.” There is a little caveat in all this. That proverb was not concocted to describe policy making and initiatives, but it makes an important point. Our policies and thinking as they relate to older people need to reflect what older people think and be designed in an appropriate way.

Let me give one example. At the end of May, Welsh Government Housing and Regeneration Minister Rebecca Evans announced nearly £6 million of Welsh Government funding to support the work of Care and Repair agencies with vulnerable older people. Across Wales, there are 13 such agencies, which together enable many older and disabled people to live as independently as possible in their own homes, providing support and repairing work, helping more than 22,000 people through safety and falls prevention work and carrying out some 17,000 small adaptations.

A fine project supporting older people’s care in much of my constituency and in parts of the town of Wrexham is the community agents project, which helps and supports people who are over 50. As someone who became 50 this year, I have a particular fondness for this project. I pay tribute to everyone at county borough council level who has supported the programme and to the
town and community councils; without their funding in those areas, the programme simply would not have been possible. I also pay tribute to our local voluntary sector organisations and to the community agents themselves.

Another example of impeccable care for older people that I am delighted to talk about is the Penley Rainbow Centre. That is situated in a rural part of my constituency, very close to the English border. I have had the privilege of visiting it on many occasions and I am deeply glad to support its work. Operating since 1994, the centre is a registered charity that aims to improve the health and wellbeing of our local community. Services include day opportunities, day care, befriending, peer support groups, volunteering and a range of learning and exercise classes, as well as a new community wellbeing service that provides outreach support to the local community.

People at the centre work with many different groups of people five days a week— including those with dementia, frailty, learning difficulties or physical disability—and they also support families and carers. There are not just outstanding day opportunities. Other services include community wellbeing, peer support, lunch and learns, exercise classes, an excellent community garden—with an active gardening group—as well as a choir, art and craft classes, and beauty treatments. Active local fundraising has led to the provision of a new minibus, which means that the centre will serve even more people. “Caring”, “welcoming”, “a lifeline”, “fantastic meals and company” and “A place that makes me feel much happier”—these quotes prove that the Penley Rainbow Centre is not just a credit to the area I am privileged to represent in Parliament, but a project worthy of replication in communities across Wales and the UK, and indeed more widely across the world.

I believe the three projects about which I have spoken today are as fine initiatives in older people’s care as any that can be found anywhere in our land. As the Member of Parliament for Clwyd South, I am delighted to highlight them and to raise in this Parliament and nationwide the need for more serious discussion of older people’s care.

4.56 pm

Rachel Maclean (Redditch) (Con): It is a great pleasure to follow the hon. Member for Clwyd South (Susan Elan Jones).

I wish to speak about a subject that is very personal to me, as it is to millions of other women, and that is the menopause. I speak about this topic from my own personal experience. I started to suffer from horrible migraines that prevented me from actually doing my job properly. I did not know why I was suffering from them. I thought it might be because I had taken up a stressful job and had a change in my personal circumstances. It was only when I started to do some research and look into the menopause itself that I discovered that migraines could be a symptom. Like many other people, I had heard in the popular press and in the media about hot flushes, but I was completely lacking in any knowledge about the menopause.

On my personal journey into this topic, I have discovered that there is a shocking lack of awareness and treatment for women who are going through the menopause. The menopause affects every woman in this country and it of course also affects every man who works with, lives with or is related to a woman, so it is fair to say that it actually affects every single person in this country. Yet, in my research, I found that it has been mentioned only 27 times in Hansard in the last three years, and I really wonder why.

I will focus on three key areas. The first is the workplace. I want to point out that some fantastic organisations already acknowledge and recognise the effects of the menopause on women in the workplace. The West Midlands police are one. There is tailored support there for women, which helps them to build their confidence, to stay in the workplace and to get access to the support they need. However, it is clear that many other organisations need to take a cue from that. After all, we are all expected to work for longer and to contribute, so it will obviously have an effect on the economic growth and productivity of other organisations if they can also adopt those practices.

The second point is about medical treatment. I am absolutely delighted that the Secretary of State for Health and Social Care announced £20 billion of funding for the NHS. Please can we have some more support for menopause from those funds? Approximately 13 million women in the UK are peri-menopausal or post-menopausal. The symptoms can last up to 15 years, but too many women are suffering in silence. They are left frustrated and disappointed when they go to their GP. Their symptoms are not recognised and they do not get the hormone replacement treatment that they really need. They are misdiagnosed and told to get on with it, and their symptoms are often belittled or not understood. We see that in the popular debate, in which women are talked about as being “crazy” or as “losing it”, and this is just not a good state of affairs. It is a taboo. It is not understood and we need to do better as a Government.

The third point is very much around education. At the start of their life, we educate girls about periods. Why cannot we also explain to them what will happen at the end of their life? It is not just the fact that menstruation ends; it is a whole process. It is a natural process that we go through. It can be a liberating process, which frees people to contribute to society. That is how it should be—a positive experience. It should not be denigrated. Women should not feel that their purpose is used up, and that now they are left to wither and die.

In the course of my research I looked at Instagram—one place where I find that social media is quite positive. There is a lot of support around menopause on Instagram. We are told that it is the club that no one wants to join, and it sometimes feels like that, because if a woman speaks up about the fact that she is suffering from menopause—maybe in the workplace, perhaps in an organisation that is not particularly sympathetic—she may be belittled. But I think it is time that we take back control of our bodies. We should not be joked about. We should not be written off. It is a time for us to be loud and proud about our achievements.

Society’s attitudes to women are changing, and I welcome that. We talk about mental health and a range of issues; that is absolutely fantastic. Menopause should not be a negative time. I pay tribute to some of the fantastic women I have worked with, who have helped me, and whose work I hope to take forward: women such as the hon. Member for Dewsbury (Paula Sherriff),
the chair of the all-party parliamentary group on women’s health—I do not think she is present, but we shall be meeting and working on this issue—Louise Newson, the menopause doctor; Diane Danzebrink; and Liz Earle.

I finish with a really sad quote. A woman asked:

“Does anyone else find that their confidence, their motivation and enthusiasm have disappeared during the menopause?”

I make a plea for us to really look at this issue and give it the attention it deserves. If women are freed up and allowed to live their lives to the fullest at this time of their life, they can contribute to society and give so much back.

I wish everybody a very happy recess.

Mr Speaker: Maiden speech: Janet Daby.

5.1 pm

Janet Daby (Lewisham East) (Lab): Thank you, Mr Speaker, for the chance to speak in this debate. I am both humbled and very proud to be here. I thank my constituents in Lewisham East for giving me this opportunity, as well as my family and my wonderful husband for their patience and understanding over the past few months—and continuing patience, probably. [Laughter.]

I will respect tradition by thanking two of my predecessors, Bridget Prentice and Heidi Alexander. The unwavering support and encouragement that I have had from these phenomenal women exemplifies the adage, “Lift as you climb.” Bridget was MP for Lewisham East for 18 years, from 1992 to 2010. She is still a resident, well respected and well known for her community spirit, straight talking and humour. I thank Bridget for her belief in me.

Of course, I wish to pay tribute to my predecessor, Heidi Alexander. As hon. Members know, she was an incredibly hard-working, approachable and dedicated advocate in this place. She was key to the community campaign that saved Lewisham Hospital A&E services, and as shadow Secretary of State for Health, she was vocal in the junior doctors’ dispute. She was passionate and outspoken about the need for us to stay in the single market—a view shared by many people in Lewisham, where 70% of us voted to remain. We in Lewisham East will not tolerate a hard Brexit. I thank Heidi for her dedication as a public servant, and I am sure hon. Members will join me in wishing her well in her new role as London’s Deputy Mayor for Transport. No doubt, I will soon be in contact with her about improvements to the Lewisham transport system.

As for me, when I was a child and even a young adult, I never imagined that I would become a local councillor, with the local community, I know this only too well. I know someone who has three part-time jobs. He works himself to the bone, but still he has to visit the foodbank so he can feed himself and his family. What he and all our constituents are owed, at the very least, is the real living wage as defined by the Living Wage Foundation. Instead, our constituents got the much lower national living wage, based on political calculations. The quality of jobs available is a serious issue. As a Unison trade unionist and former public-sector worker, I believe in fair pay and in proper terms and conditions. I understand that decisions are being made on whether to abolish the widely used and highly exploitative employment contracts that allow for agency workers to be underpaid for their labour. We need to do the right thing and abolish them, as has the Communication Workers Union’s campaign on this issue. Low pay and insecure jobs mean that many of my constituents are spiralling into debt, and they cannot hope to pay their rocketing private rents. The people of Lewisham East are crying out for social housing, and they need it now if we are to stop the number of families being forced out of the area by the housing crisis.

As for our young people, I am deeply troubled by the multiple stops and stop-and-searches that innocent young men, especially black men, are subjected to. This can have a brutal impact on their mental health and wellbeing, often something that is not considered. Our young people do not just need hope for the future; they need tangible change. I will do what I can to address the stop-and-search issue.

I am saddened and outraged that in 2018 some young women in Lewisham East, but not just in Lewisham East, will skip school because their families cannot afford sanitary products. Across the UK, it is estimated that 137,000 girls missed school last year because of this type of poverty, I absolutely support moves for free universal access to sanitary products.
I want to use the privilege of having a voice in this Chamber to help to reduce poverty, improve health, raise educational outcomes and clean up the toxic air that blights parts of Lewisham East. Some people might see this as optimistic for one MP and her constituents, but as the anthropologist Margaret Mead said:

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.”

On this, I believe that when we come up against a mountain to overcome, we need others to help us make the climb, as we cannot do this alone.

Mr Speaker, at times it has felt overwhelming to come into this great establishment, but I have been met with such hospitality by you, parliamentarians on both sides and the superb staff in both Houses—it is greatly appreciated.

Mr Speaker: Thank you.

5.10 pm

Vernon Coaker (Gedling) (Lab): I say to my hon. Friend the Member for Lewisham East (Janet Daby) what an amazing privilege it is to follow a speech of that quality—not only that, but what shone through was her absolute dignity. She will be an absolutely amazing addition to our Parliament and to the government of this country. Through what she said, it is clear that she will be an advocate for her local people on poverty, inequality and tackling health issues; but above all, she will be a national advocate for the things that we in the Labour party stand for—we stand up against prejudice and discrimination and show what determination can achieve. It is an amazing privilege and honour to follow my hon. Friend, and I wish her all the luck in the future.

I was moved to speak on two issues in respect of the amazing constituency of Gedling in Nottinghamshire that I represent. I am sick and tired of people coming to see me at my surgeries who have mental health problems but are being refused personal independence payments. I say to the Minister, who will answer a plethora of different things that people raise, that the Government need to get a grip. This is not a party political issue. I talk to Government Members who have the same problems, and even Ministers say, “This is astonishing. We have to get it sorted out.” Well, the Minister should tell the Department for Work and Pensions to sort it out, because numerous people who have serious difficulties cannot access a benefit on which they depend. It is not good enough, and the Government need to take issue with it. I told numerous people that I would raise that, and I have done so.

I want to use this debate to highlight something that was said by a senior Conservative councillor in Nottinghamshire, and I think that it will shock all Members across the House. Councillor Phillip Owen, chair of the children and young people’s committee of Nottinghamshire County Council, said that the police priorities of modern slavery, domestic violence and hate crime were only priorities because they are “politically correct” and “fashionable”. We think battles have been won—on sexism, discrimination, prejudice and intolerance—and then we hear such statements from a senior councillor about things that have a massive impact.

We heard earlier from my hon. Friend. Friend the Member for Birmingham, Selly Oak (Steve McCabe). The police recorded 1.1 million crimes in 2016 that related to domestic abuse, and 1.9 million people aged between 19 and 65 were the victims of domestic abuse. If that should not be a police priority, I do not know what should be. The fact is that large numbers of people are still not reporting these crimes. The majority of victims are women, and large numbers of people are still not prosecuted for these crimes, because the victims will not give evidence to ensure that the perpetrator is prosecuted. That should be our priority, not some prejudiced statement about these matters that deserves to come from the ark.

Of course it should be a police priority; of course it should be looked into. This country has suffered down the centuries because such crimes have been dismissed and kept behind closed doors.

What of modern slavery? This House, this country and, to be fair, this Prime Minister—I have said it to her—led the way with the Modern Slavery Act 2015. It needs to be better implemented, but we led the way, and the Prime Minister was key to it, yet we are told by this senior Conservative councillor that it should not be a police priority. The Gangmasters Licensing Authority has pointed to a 47% increase between 2016 and 2017 in the number of potential victims of forced labour, while the Global Slavery Index announced just a couple of days ago that 136,000 people in this country were potentially victims of modern slavery on any one day, yet we are told it is not a police priority. I say to Councillor Owen and anybody else who has doubts that tackling modern slavery and forced labour must be a priority for the police of our country, and I am proud that it is. We thought these two issues had ended—we thought we had won these battles—but as my hon. Friend the Member for Lewisham East said in her brilliant maiden speech, prejudice and discrimination are still there to be tackled. Likewise, the police still need to tackle the scourges of modern slavery and domestic violence, and I am proud that they do.

Mr Speaker: Maiden speech: Jared O’Mara.

5.16 pm

Jared O’Mara (Sheffield, Hallam) (Ind): Mr Speaker, thank you. In fact, everybody, thank you—you have all been terribly patient.

I am delighted today to finally be able to make my maiden speech as the MP for the constituency where I grew up, Sheffield, Hallam. I was elected a year ago as Hallam’s first Labour MP, but due to mistakes I made when I was young, and for which I am truly sorry as they hurt a lot of people, I have been unable to speak in the House with confidence until now. I currently speak in the capacity of an independent Member. I am also Parliament’s very first autistic MP, as well as having cerebral palsy and other disabilities. This fills me with immense pride. It is an honour for me to have the chance to represent our country’s disabled people in addition to serving my constituents.

I would like to give praise to my predecessor for his admirable and steadfast belief in the value of our membership of the European Union and for his commitment to multiculturism, both of which I share. He shall be remembered fondly as a hard-working and capable constituency MP, and for that he has my respect.

I may, of course, be biased, but Sheffield, Hallam is quite possibly one of the most beautiful and greenest constituencies in the country. On the cusp of the Peak...
District national park, it contains districts including Fulwood, Lodge Moor. Ecclesall, Stannington, Wadsley Park Village—where I lived for a number of years—Loxley, Crosspool, Dore, Bradway and Totley. It is home to too many great schools and villages to mention, including the two I went to, Bradfield and Tapton, and we have the world's second-oldest football club, Hallam FC, who play their home matches at Sandygate Road.

On the subject of sport, our schools and villages have given rise to some of the nation's greatest sports people, including Joe Root, Michael Vaughan, Dame Jessica Ennis-Hill, the best right back in world football Kyle Walker—even though I am an Owl and he is a Blade—and gold medal-winning Special Olympian Nathan Hill.

My constituency gets unfairly typecast as one of the least diverse and most wealthy in the north, yet I have had the privilege of meeting and speaking to people from all walks of life in Hallam in this past year, be it our sizeable student community, people from humble beginnings and blue-collar professions—much the same as my own background—successful white-collar workers, academics and business people, inspiring and compassionate representatives of our 300-strong Jewish community, the many graceful and civic-minded British Muslims, or the plethora of bright young people from our local schools, who have impressed me no end. Hallam is in fact the epitome of multiculturalism, as is my city of Sheffield as a whole, and I am very proud to call it home.

In my constituency and my city, I have also met many wonderful Christian people. Indeed my parents, who have been at my side through thick and thin, are Christians themselves. While I consider myself a man of science and more aligned with atheism and humanism, I have the utmost respect for all religious people, and I feel specifically that we can all learn from the teachings of Jesus. He was a man who forgave those who truly repented, and he shared my belief that our utmost human priority should be helping those who are the most disadvantaged and vulnerable amongst us—chiefly, our poor and underprivileged, our senior citizens, our children, people with disabilities and illnesses, and people who want to find the right path again after making mistakes.

I ask my constituents, all parties in the House, and everyone in the country at large to join me now in prioritising those principles, and I thank Members very much for listening to my speech. I promise that I will do my utmost to help all those who are in need of help in my constituency, and to champion the cause of equality. When I return to Parliament in September, I shall do so with renewed vigour and an unwavering commitment to social justice. I look forward to being the best MP that I can possibly be.

Mr Speaker: I congratulate the hon. Gentleman on his commendably succinct speech, and I wish him well.

5.20 pm

Caroline Lucas (Brighton, Pavilion) (Green): It is a great honour to follow two such passionate maiden speeches. The hon. Member for Sheffield, Hallam (Jared O’Mara) talked powerfully about the importance of inclusion and equality—I am sure that we all agree with him on that—and the hon. Member for Lewisham East (Janet Daby) talked passionately about her constituency. An aspect of her speech that particularly resonated with me was her opposition to the extreme Brexit to which the Government are leading us.

I originally intended to spend my brief minutes talking about the immorality of indefinite detention. I will still talk about that, but I feel that before I do so, I must take the opportunity to say a few words about yet another decision that has been smuggled out on this last day before the recess, and about which many Members may not even know. The Government have just given the green light to more fracking at Preston New Road.

This is an absolute kick in the teeth for the local community, who almost unanimously oppose fracking in their back yard, and who have been fighting an incredibly strong campaign against it. However, it is not just a kick in the teeth for localism; it is an extraordinarily perverse decision, given the reality of accelerating climate change. The Government are locking us into a whole new fossil fuel industry at exactly the time when the experts are telling us that we must leave the majority of known fossil fuels in the ground.

We are currently in the middle of a heatwave, and more and more scientists are linking the freakish weather that we are currently experiencing with the likelihood of its happening more often as a result of climate change. The idea that now is a good time to give the green light to fracking, while making it more difficult, for example, to pursue renewable energy—as the hon. Member for Ealing Central and Acton (Dr Huq) was saying a few moments earlier—seems to be taking stupidity to new heights. I shall not spend any more time talking about fracking, because I want to talk about my recent visit to Yarl’s Wood, but I think it incredibly cowardly of the Government to smuggle this decision out when they know that people’s attention will be elsewhere, and when we cannot have a serious debate about it.

I recently visited Yarl’s Wood detention centre, having finally been granted permission following 18 months of trying to gain access. The visit was publicised to detainees, and it is difficult to communicate the desperation and heartbreak that I sensed in the 100 or so women who came to meet me. Each wanted her story to be heard. They wanted someone to know where they were, and they wanted to know that they would not be forgotten. They wanted something to be done about the mental torture that they were enduring day in, day out.

I use the term “mental torture” very deliberately. Imagine, Mr Speaker, living in the community where you have made your life and being required to report to the Home Office every week. Imagine that you do that religiously and never fail, and then one week, when you turn up to report as usual, you find yourself being randomly sent, with no notice, to a detention centre. You are given no time even to pack your clothes, and no time to tell anyone—your kids, perhaps. You are given no warning and no explanation. Imagine arriving at Yarl’s Wood and being given no information about the reason for your detention; about what, if anything, you have done wrong; or about how long you will be there. Months or perhaps even more than a year later, you may be released—again, with no warning or explanation. You are still required to make weekly reports to the Home Office. You are none the wiser about the reason for that arbitrary use of power against you, and you have no idea whether it will happen again.
This is intolerable, Mr Speaker, and it is happening on a daily basis in our country. Can you imagine how frightening it must be? It is cruel, it is inhumane, and it must stop. Many of the people to whom it is happening are vulnerable women. A recent research report published by Women for Refugee Women found that survivors of rape, trafficking and torture are still routinely being locked up in Yarl’s Wood. When Her Majesty’s inspectorate of prisons inspected Yarl’s Wood in 2017, it found exactly the same.

The Government’s adults at risk policy is supposed to reduce the number of vulnerable and at-risk people in detention, which the Shaw review identified as needing urgent action. The policy is not working. What I observed is consistent with the findings of HMIP, which is that “the effectiveness of the adults at risk policy, which is intended to reduce the detention of vulnerable people, was questionable”.

That is, I think, a use of understatement.

The Home Office claims that progress on detaining fewer vulnerable people is difficult to measure because there is no way of assessing how many vulnerable people are detained. Many of the women I spoke to seemed incredibly distressed, and some had obviously been self-harming. Figures from the independent monitoring board at Yarl’s Wood show that levels of self-harm there have more than tripled in 2017 alone. Yet I was told by Serco, which runs Yarl’s Wood, that out of 183 individuals detained when I visited, 29 adult women were defined as at risk level 1, and 43 at risk level 2, with none defined at risk level 3. For those who do not know what these risk levels mean, in a nutshell they identify survivors of torture, individuals with suicidal intentions, or those whose health is likely to be “injuriously affected by continued detention.”

The claim of an absence of any category 3 people was, I think, disproved by the kinds of people we were speaking to, so I am not sure that even the way in which data is compiled is accurate. But even if it is accurate, this demonstrates the level of desperation of women who are being routinely locked up.

We heard a statement today from the Home Secretary, who said that he would look again at the whole issue of indefinite detention. May I use my last five seconds to urge him to do so with the strongest amount of urgency because people’s lives are at risk and what is going on is intolerable?

Several hon. Members rose—

Mr Speaker: Order. The next speaker will be the last to do so on the six-minute limit. Thereafter, in an attempt to accommodate all would-be contributors, the limit will have to be reduced to five minutes per speech.

5.26 pm

Matt Rodda (Reading East) (Lab): I am grateful for the opportunity to speak in the debate. It is a pleasure to follow the hon. Member for Brighton, Pavilion (Caroline Lucas), and also my hon. Friend the Member for Lewisham East (Janet Daby) and other hon. Members.

I want to raise an important issue for my constituents and to ask Ministers to consider it carefully. Reading is an historic town which dates back to the middle ages. It has a number of well-known buildings and more than a dozen conservation areas. Arguably our best-known building is Reading Gaol, which was written about by Oscar Wilde, who was incarcerated there. The prison was designed by the famous Victorian architect Gilbert Scott, whose work also included the Albert memorial, St Pancras station and many other notable Victorian buildings. The building is no longer used as a prison and has been empty for five years following a reorganisation of the prison estate. I argue that because of its cultural and artistic significance, the prison should be preserved and enhanced through being turned into a hub for the arts. I would like to set out the advantages of this approach, both locally and for enhancing our nation’s heritage, to suggest a way forward, and to encourage Ministers to work with me and Reading Borough Council on this project.

There are significant benefits to the project. First and foremost, Reading would benefit from a major new theatre and hub for the arts. Our town is growing rapidly, and cultural and artistic activity is growing commensurately. There is a vibrant arts community, but a lack of large and nationally recognised venues. Secondly, the prison is an ideal location, both because of its history and association with Oscar Wilde, and because of its setting next to the nationally important ruins of Reading abbey, the burial place of Henry I. These grounds were recently restored and now form a venue for open-air theatre in the summer. The location offers the possibility for the town to develop an entire cultural quarter close to the town centre and the station, making it accessible to visitors from the Thames valley, London and Oxford.

Thirdly, using the prison as an arts hub has been tried before temporarily, with huge success. It was opened to the public, and the installations and performance art that were staged attracted thousands of visitors from across the country. Despite the undoubted potential of the prison and its success as a temporary venue for the arts, the regeneration of this historic building is being held up by the need to survey the site and to understand its archaeology. While I fully understand the need for and support the careful assessment of the site, I hope this can be finished soon to allow Ministers to consider a way forward.

I thank the prisons Minister, the hon. Member for Penrith and The Border (Rory Stewart), for his interest in the site and the time he has spent talking to me about its future. I encourage the Justice Secretary to approach the matter with urgency. He can rely on me, and on Reading Borough Council and other local groups, to pursue the project with commitment and an ambition to make it work.

I should also like to inform the Minister that the Department for Digital, Culture, Media and Sport is involved in this project with Reading Borough Council. It may also support it, and a bid for funding might be under way. This is an important cultural project for Reading and the surrounding area, and I urge all parties to work together to help to deliver the proposal. Reading is a growing town, and it deserves an arts venue that celebrates both its ancient history and its potential for the future. Finally, Mr Speaker, I wish you and other colleagues here today a very happy and relaxing summer break.

5.30 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I am grateful for the opportunity to speak briefly in this debate. The Government have moved positively on a
Judith Hackitt’s well-received review. Secondly, the Secretary building regulations relevant to fire, following Dame document B, which contains statutory guidance on that were very welcome—albeit late, but not on his Local Government made not one but two announcements the Secretary of State for Housing, Communities and 

Antisocial behaviour seems to be flourishing, especially in my constituency, with issues as trivial as ignoring personal space all the way through to life-threatening violence. I, like other colleagues, receive many emails about antisocial behaviour, including boy racers in cars, noisy and threatening mopeds, late night and early morning loud gatherings, block invasions, verbal and physical abuse of women and members of the LGBT community, open drug dealing, damage to property, and the rest. It is just not acceptable.

Moving to leasehold, there is a lack of protection for leaseholders on so many issues, including: service charges; refurbishment costs; recognition of residents associations; inflated insurance costs; forfeiture; outrageous event fees; lease extensions; cladding reform and replacement; interim fire costs; commonhold; the ground rent scandal; and dispute resolution at first-tier tribunals, which will be the subject of my Adjournment debate later. That dreadful list of problems is faced by 5 million leaseholders every day. The Government are moving encouragingly on many of these issues, but Administrations have failed in this regard a number of times over the past 30 years. I hope that this Government will get it right this time. It would be helpful to have a timetable for how they intend to make progress. On deafness, the Government have signalled a change of position on the possibility of a GCSE in British sign language, and I welcome the recent comments from the Minister for School Standards, the right hon. Member for Bognor Regis and Littlehampton (Nick Gibb).

I welcome the Department for International Development’s review of grants and the establishment of the small charities challenge fund. I am sure that this will help a number of organisations doing great work. I also welcome the opportunity to meet the Minister of State, Department for International Development, the right hon. Member for North East Bedfordshire (Alistair Burt), who is also a Minister at the Foreign and Commonwealth Office, to discuss assistance for a charity called Fire Aid, which I chair.

One question for the Government on animal welfare that keeps being asked is when we might see the law changed. The Government promised this in relation to a five-year sentence for animal cruelty. The Minister for Agriculture, Fisheries and Food, the hon. Member for Camborne and Redruth (George Eustice), stated on 13 June that a Bill would come forward in this Session. Organisations such as Battersea Dogs and Cats Home would be reassured to have more clarity about when this will take place.

I want to refer to an individual constituent’s immigration case that has troubled members of my staff to the extent that they have personally been raising funds for his distraught family. Mr Ostadani Rabbani is dying; of that there is no doubt. He has no recourse to funds or benefits. He has a wife and two children, and he has been in the UK for 14 years. We have tried to get an early decision on the family’s application to remain before their father and husband dies. Given their length of stay in the UK, they have a very strong case. It is heartbreaking to witness a system with such limited capacity for discretion and understanding. It is my belief that Mr Rabbani would no longer be with us were it not for his will to keep going in the hope of seeing his family’s rights guaranteed. When might we see some compassion in this area?

My final two issues are universal credit and housing. I commend the campaign of my right hon. Friend the Member for Wentworth and Dearne (John Healey) and his team, who are putting pressure on the Government to do more on housing, and affordable housing in particular. On universal credit, there is general agreement that the principle has support across the House, but the problems besetting the introduction are causing many claimants great hardship. I do not object to a sanctions regime, because no one should be able to rip off the taxpayer and claim that to which they are not entitled. However, things seem to have gone too far, and the Government just do not seem to get that.

In conclusion, Madam Deputy Speaker, I wish you, Mr Speaker, staff and colleagues a decent break during the recess, and I wish the Government success in their Brexit negotiations, which I am sure will not cease simply because the Commons is in recess.

5.35 pm

Jeremy Lefroy (Stafford) (Con): I apologise for only recently coming into the Chamber, but I was at extremely extended Select Committee sitting about our exiting the European Union—the very issue that the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) just mentioned. I congratulate him on his speech. I also congratulate the hon. Members for Sheffield, Hallam (Jared O’Mara) and for Lewisham East (Janet Daby) on their maiden speeches, which I shall take great pleasure in reading in Hansard.

I will concentrate on one important domestic issue and then refer to one or two international matters. The domestic issue is local government finance, and my comments will be based on my experience in Staffordshire. Staffordshire County Council and the various second-tier authorities, including South Staffordshire Council and Stafford Borough Council, have done tremendous work over the past eight years. They have reduced costs and increased efficiency while maintaining as many services as possible for local people, but they are reaching a crunch point over the coming year as they face substantial deficits. The deficits are not due to inefficiency or incompetence, but to the increasing demands being placed upon local government, particularly when it comes to adult and children social care. Those costs are vital to our constituents’ wellbeing, but it is unfair to place such burdens so heavily on local government while depriving it of the necessary funds.

I therefore ask the Government to consider the matter closely. This is an issue not just in Staffordshire but in many other authorities, counties in particular, around
the country, and we must ensure that we do not do down local democracy, because that is what will happen if we do not take such matters into consideration. If people see local authorities having to close services that they value and depend on, such as libraries—Staffordshire has not closed libraries because it has found other ways to proceed—the people will blame local government. In fact, the pressure is effectively coming from national services, and we either need to fund those more or less nationally or give local government the ability to raise appropriate resources.

I am asking the Government to examine three things. First, social care should be better funded through the better care fund nationally and should not have to rely increasingly on local resources. Secondly, if necessary, councils should be given more discretion to raise resources locally without having to resort to an expensive referendum that will often not produce a result. If people are asked, “Do you want taxes to be raised?” the answer will often be no, even if it is for a worthwhile cause, despite the council being elected and taking the needs of local people into account. That should be enough. Finally, the rate support grant should be reviewed, not rapidly cut, which is happening in so many councils. It is vital for local democracy that local councils, which have done so much over the past eight years, can raise the funds that they need to provide local services that are so greatly valued.

I shall make just a few comments on the international scene. It is extremely important that, as we go into recess, we do not forget the crises around the world, including in Yemen, Syria and elsewhere in the middle east. We should not take our eyes off the Democratic Republic of the Congo, where elections are due before the end of the year but we do not see great progress towards them.

Finally, let us take a moment to celebrate—I declare an interest as the Prime Minister’s trade envoy to Ethiopia—the growing peace between Ethiopia and Eritrea. After so many years, we saw Prime Minister Abiy go to Eritrea, and we saw a coming together of those brothers and sisters, as they effectively are.

On that happier note, I wish you, Madam Deputy Speaker, and all colleagues in the Commons a very happy recess.

5.40 pm

Kate Green (Stretford and Urmston) (Lab): It is always a pleasure to follow the hon. Member for Stafford (Jeremy Lefroy). I too congratulate colleagues who made such inspiring maiden speeches this afternoon.

I return to an issue that was raised a few moments ago by my hon. Friend the Member for Stoke-on-Trent North (Ruth Smeeth)—I also raised it at last week’s business questions—on the poor quality building and dire customer service experienced by buyers of new homes, such as those buying from Persimmon in my constituency. Since I raised the issue in the Chamber last week, I have been inundated with emails, tweets and Facebook posts from across the country reporting similar experiences not just with Persimmon but, as my hon. Friend said, with other major household names—Taylor Wimpey and Bellway among them.

Buying a home is probably the most important purchase that most of us will ever make. Young people save up to buy a home, in which they invest their hopes for the future. They look forward to putting down roots in the community, but I have too often heard stories of shoddy workmanship, failure to repair defects and homebuyers facing serious risks in the place where they should be safest. I have heard of unsafe staircases, dangerous electrics, gaps and cracks in walls and floors, leaking plumbing and gardens that are not safe for children to play in.

I have also repeatedly heard that house builders refuse to respond to owners’ complaints, but all the owners want is for someone to come round to make good the defects. Instead, they are fobbed off. Appointments are made and not honoured. Repairs are done that are as shoddy as the original work. Promises of improvements do not materialise. When MPs try to intervene, as I said in the Chamber just last week, the companies too often simply refuse to deal with us.

The Government are aware of the problem and, indeed, have recently consulted on improving customer redress in the housing market. We have also had two excellent reports in the past two years from the all-party parliamentary group on excellence in the built environment, which has proposed a number of measures, including a mandatory new homes ombudsman funded by a compulsory levy on house builders, a review of warranty schemes, timescales for settling disputes, and better recompense and inspection arrangements.

My first ask is that the concerns of the House on these matters are relayed to the Secretary of State for Housing, Communities and Local Government, whom I urge to respond to the consultation and take action as quickly as possible.

Secondly, we also know there are problems with smaller builders that carry out renovations and refurbishments. My constituent Mr Clint Wiltshire has highlighted some of the problems people experience. There are advertisements for small traders on trusted websites that make no checks on the qualifications, experience or track record of those selling their services. Local authority trading standards departments are now massively overstretched as a result of local government funding cuts and are unable to intervene where poor quality workmanship is experienced. Insurance companies frequently try to wriggle out of liability. Indeed, I understand there is no requirement for builders to have professional indemnity insurance cover.

Again, I ask that my concerns are relayed to the Ministry of Housing, Communities and Local Government, and I ask the Ministry to look at how better protection could be afforded to consumers through a code of practice, increased capacity for trading standards departments and a recognition of the importance of our homes to all of us and of our need to feel confident that we are safe, secure and comfortable in our homes.

Finally, another issue of great concern to my constituents is the increasing pressure on our emergency services. I have heard increasing reports that our police are unable to respond in person to reports, often of serious incidents, including most recently in my constituency a case of homophobic hate crime and another of serious sexual offences. We are seeing similar pressures on the North West Ambulance Service, which has been unable to respond for some hours when elderly people have suffered falls or illness and needed the services of paramedics. It really is time we looked at the funding for these vital emergency services to make sure they can properly
meet the demands of our communities, and I hope the Minister will convey my concerns to the relevant Departments.

Finally, Madam Deputy Speaker, may I take the opportunity, as others have done, to wish all in this House the very best of summer recesses? I hope that everybody enjoys a restful break and returns refreshed in September.

5.45 pm

Alex Chalk (Cheltenham) (Con): What a pleasure it is to follow the hon. Member for Stretford and Urmston (Kate Green), whom I have had the privilege of serving on the Select Committee on Justice. May I also take the opportunity to congratulate the hon. Members for Lewisham East (Janet Daby) and for Sheffield, Hallam (Jared O’Mara) on their distinguished maiden speeches today?

I want to take a few moments to speak about CrossCountry services from Cheltenham, because this matter relates not only to the convenience of my constituents, but to social mobility and opportunity. Unless those rail services are at the standard my constituents are entitled to expect, both those vital priorities will be undermined. Putting it simply, those services are too costly and too crowded, and they finish too early. It is particularly important that I mention them at this moment because a public consultation has been announced by the Government about the future of CrossCountry’s rail franchise and it is important that these points are made.

So what is the context? Cheltenham Spa is the busiest station in Gloucestershire, with 2.35 million passengers using it last year, which is an increase from 1.73 million in 2011. So we are talking about some 800,000 additional passengers in that relatively short time. The next busiest station, Gloucester, had 1.48 million users—about 900,000 fewer. There has been good news in recent years: there has been a new, additional, early morning, 200-seat service from Cheltenham to Bristol and through to Taunton and Exeter, as well as an additional 1,000 seats per day on the CrossCountry routes between Bristol, Cheltenham Spa and Birmingham. It is the cost that is the problem. An off-peak return ticket from Cheltenham to Manchester will cost £81.90 and a peak return will cost £129.40. That is extremely expensive—prohibitively expensive. That is important because, if we want to drive things such as the Cheltenham cyber-park, people need to feel that they can go between Manchester and Cheltenham in an affordable way. Oddly, not only is this travel expensive, but there is a strange discrepancy; someone who wants to go north from Cheltenham has to re-mortgage their house, whereas someone who wants to go south from Cheltenham finds that a return to Bristol costs £25.40—[ Interruption. ] I appreciate that it is a bit closer, but there is an enormous discrepancy.

Overcrowding is a really important issue for my constituents, a number of whom write to me about it. When we drill into the service that is put on, we see why there is overcrowding. The 7.10 am train from Cheltenham to Birmingham, which Members might feel is at a peak time, has just four carriages and the 7.41 am has just five. That means trains are running at or beyond capacity. To put that in context, trains running from Cheltenham to London on the Great Western Railway line have about 10 carriages. So CrossCountry really needs to resolve that.

The final point I wish to raise is the business of these trains finishing too early. Cheltenham residents who want to go to Bristol have to get the 10 pm train back and Cheltenham residents who want to go to Birmingham have to get the 10.12 pm back: the trains finish quite early. By comparison, a Bristol resident who wants to get the train back from Cheltenham gets to stay in Cheltenham until 10.50 pm and if they want to go to Birmingham they get to stay there until 10.58 pm. In other words, these trains need to run until later in the evening.

I wanted to make those short but none the less important points. As I say, it is an issue not only of convenience for my constituents, but of how we provide opportunity and social mobility to people in Cheltenham so that my town can continue to provide great opportunities for young people and for people across its demographics, and so that they are well connected to some of our great conurbations, including Bristol, Birmingham, Manchester and beyond.

5.49 pm

Melanie Onn (Great Grimsby) (Lab): I join other colleagues in congratulating those who have made their maiden speeches today. I urge them to get their bound copy of their speech and treasure it—something that I failed to do in a timely fashion; I regret it very much.

I wish to take this opportunity to make up for a dreadful oversight of mine during the Westminster Hall debate earlier in the Session on children’s play areas, to which everybody paid close attention and which was secured by my hon. Friend the hon. Member for Nottingham East (Mr Leslie). In that debate, I referred to just one remaining youth centre in my constituency, but since then I have rightly been reminded of other centres that, although not technically youth centres, certainly provide excellent youth services for those in my constituency.

One of those centres is the West Marsh community centre, which is run by Neil Barber and hosts the Grimsby Town Sports and Education Trust football club for local children. Another centre is the excellent Fusion Centre, which I visited last week. It is a community interest boxing and fitness club run by the incredibly committed Wayne Bloy, who runs classes for young people. If they do not have any money, he will often allow them in for free. The centre also hosts classes for disabled people of all ages. It covers the Heneage and East Marsh areas. I apologise to those clubs, and to the many other clubs and organisations that operate in my constituency—there are so many unsung heroes across all our constituencies who are giving so much back to their communities—but there simply is not enough time in the parliamentary calendar to cover them all, although I will mention Together for the West Marsh, because I am going to the open day there tomorrow.

On a point of policy, one of the best things that the Government could do is to properly fund youth activities of a broad nature and throughout the whole country, to appeal to a wide range of young people of all incomes and none. Mentors should be available to give an often much-needed guiding hand. We have seen a real destruction of youth services, in a way that we would understand.
The hon. Member for Stafford (Jeremy Lefroy) touched on the issues relating to local government funding, which is a key area where communities have really lost out over the past few years.

I also wish to raise a health issue. I have tried and failed on many occasions to secure either an Adjournment debate or a Westminster Hall debate on cauda equina syndrome. My constituent, Becky Harrington, was very keen for me to raise the issue to bring about greater awareness of the condition. She has become a voluntary ambassador for the Cauda Equina UK charity, so that she can make people better aware of how life changing it can be.

Becky sent me an email late last year to say:

“I am a cauda equina syndrome sufferer and have recently joined the CES UK charity as a voluntary ambassador. We are currently trying to raise awareness to the public about CES and how life changing it can be if gone unnoticed. If it is not dealt with within the first 48 hours you can end up with loss of function and numbness in the saddle area and needing to be catheterised or having a colostomy bag fitted or like myself having a paralysed leg and unable to walk without an aid. This can all stem from having a bad back and not knowing what to do if the symptoms occur.”

It is quite a frightening syndrome and warrants more attention from the House and from the Government Health team.

In my final minute, let me congratulate the Grimsby Institute on being the only college in Lincolnshire to achieve outstanding status. I congratulate Peter Kennedy on his appointment as principal of my old college, Franklin College, and I thank Trevor Wray for all his work as the former principal at Franklin and for raising awareness of the condition. I congratulate Peter Kennedy on having a bad back and not knowing what to do if the symptoms occur.”

Fiona Bruce (Congleton) (Con): I rise to register my support for Congleton Museum’s aspirations to move to Bradshaw House. In its first 16 years of existence, Congleton Museum, a charitable trust entirely run by volunteers, has had considerable success locally, regionally and nationally. The museum was established as the local history museum for Congleton but quickly evolved to become recognised within the wider area of Cheshire and the north-west through the acquisition of hoards found in east Cheshire. It is now the area’s leading museum in collecting and analysing archaeological finds. It has been entrusted with the care of important Roman coin hoards from further afield in the county, the Knutsford and Malpas hoards, in addition to two further 17th century hoards found locally, but there is now simply inadequate room to display these collections.

The Congleton Museum’s status has brought about many partnerships within the national museum community. For instance, it has been working with the British Museum, the Victoria and Albert Museum and regional holders of national collections such as the Museum of Liverpool. I pay tribute to the dedicated work of the museum’s trustees and other volunteers for those achievements. Given that success, a move from the museum’s current and—dare I say—it—now cramped premises at the back of Congleton Town Hall to Bradshaw House would be fitting.

Bradshaw House is a fine Grade II listed late Georgian home from the late 1820s in the historic heart of Congleton. It takes its name from Congleton’s most famous, or possibly infamous, resident, John Bradshaw, who was president of the High Court, oversaw the trial of King Charles I and was the first signatory to his death warrant. Bradshaw House is currently owned by Cheshire East Council but has been unoccupied for some time.

The benefits of a move to Bradshaw House for the museum are manifold, not only for the museum, but for Congleton, the broader Cheshire East community and our wider heritage. The museum could be more sustainable in the long term. It is a highly appropriate tenant for such a listed building. Cheshire East Council says that it has no current plans for the future of Bradshaw House while seeking a commercial buyer, but if the museum were able to take it over, it could be fully restored and cared for for the full term of a 30-year lease, potentially taking advantage of Heritage Lottery Fund funding, which is much needed for restoration costs, which few commercial purchasers would readily commit to. The museum’s offering could be increased, with space available for larger numbers of children, making a visit more cost-effective for schools.

Bradshaw House is much more visible and attractive than the museum’s current premises, located as it is in the heart of the Lawton Street conservation area. The museum would be able to handle a much larger number of visitors and host conferences. Improved facilities would encourage more visitors to the town, thereby benefiting the economy. There would be exhibition space, storage, education and research facilities as well as room for a café and a larger gift shop. As I mentioned, it would also be able to accept and display more artefacts.

This proposal has not only my strong support, but the support of Congleton Town Council and of local residents, who, in just four weeks, have signed a petition. A total of 857 signatories have been added to the petition and the number continues to rise daily. I look forward to presenting it to the Speaker in this House in the autumn.

I am pleased that, just last month, Cheshire East Council, which has previously rejected the museum’s bid to move to these premises, agreed to suspend activity related to the commercial disposal of Bradshaw House—that is, disposal by way of commercial sale. It has suspended activity pending discussions taking place between the museum and the Heritage Lottery Fund on options for HLF support for this proposal.

I do hope that the proposals will be supported strongly by Cheshire East Council. I am today seeking the active support of the council, which is our principal authority.
I also invite the leader of the council, Councillor Rachel Bailey—who I know is a good woman with a real heart for our local communities—to join me and museum representatives to meet the HLF to discuss what support may be available from HLF for this project. Such a meeting would also enable museum trustees to clarify to the leadership of Cheshire East Council that its reservations about the viability of such a scheme can be satisfactorily addressed.

Let us now talk about the clinical commissioning group, which is following the same pattern as last year. It is about to begin its consultation of four public meetings—all held during working time and all held in July and August. Who says that there is a code of guidance on consultation in the NHS? Nobody in south-west London has ever read it. This is my ninth campaign to fight the reorganisation of my hospitals. The plan, as it has always been for the past 20 years, is to close the A&E and the maternity unit at St Helier Hospital! The third week of July is always the time when my local NHS decides that it is a good idea to consult—to consult families who are on holiday, people who are away from work and people who could not possibly get to a consultation meeting in the middle of the day. There are no rules. It is the wild west in the NHS in south-west London.

Last year, at Epsom and St Helier University Hospitals NHS Trust, the chief executive, Mr Elkeles, bet his career on the fact that he could close the A&E and the maternity unit—something that nobody else has done over the past 20 years. So yes, deliver leaflets to the whole catchment area, other than any house in my constituency. Yes, tell nobody that responses will only be accepted on the official form. Yes, get 1,000 responses and accept them, but get 6,000 contributions from other people opposing this move, and, no, they are not to be included.

Let us now talk about the clinical commissioning group, which is following the same pattern as last year. It is about to begin its consultation of four public meetings—all held during working time and all held in July and August. Who says that there is a code of guidance on consultation in the NHS? Nobody in south-west London has ever read it. This is my ninth campaign to fight the reorganisation of my hospitals. The plan, as it has always been for the past 20 years, is to close the A&E and the maternity unit at the hospital, which is surrounded by those who are most in need, with the greatest health issues—those who are the least likely to have a car and the most likely to be dependent on public transport. But no matter; in the NHS in south London, as my mum would say, much gets more. If people live in a wealthy area, they can anticipate greater capital spending. The NHS in south-west London has built the Nelson health centre in one of the richest wards in London, but closed the walk-in centre in a portakabin in my constituency. I would be really interested to know the capital figures involved in doing up GPs’ surgeries, and I suspect that a great deal more money has been spent in Wimbledon.

It is a travesty that over the past 20 years £50 million has been spent on these consultations, which have always come out with the same result. It really does not matter to me how many experts or marketing consultants the trust has or how much money it wants to throw at it. It is wrong to take an A&E, a maternity unit and all the associated services away from a hospital that is in huge demand. During the winter, the hospital saw an uplift of 20% in the number of people turning up to A&E. But this is not just about my area around St Helier Hospital; it is about the health service in south-west London.

If St Helier A&E and maternity unit are closed and moved to Belmont, the consequence will be that the fantastically St George’s Hospital in Tooting will not be able to function because of the number of my constituents who will be going to that hospital to use its services. Similarly, Croydon University Hospital—a hospital surrounded by a population in greatest need—will feel the brunt of my constituents from Pollards Hill and Longthornton using its services.

This madness should end. Somebody should listen. There should be rules about consultations. There should be criteria that people understand. If the NHS is to abide by the Equality Act 2010, it should, in all circumstances, take into account how those who are in most need access their health services. I hope that there is someone, somewhere, who just might listen.

Rachael Maskell (York Central) (Lab/Co-op): We have heard some excellent speeches this afternoon, not least the two maiden speeches.

In 1772, Robert Hay Drummond, Archbishop of York, commissioned what is now known as Bootham Park Hospital. John Carr was drafted in as the architect, and in 1777 the hospital opened. It was a stunning building based in parkland and 17.85 acres of land, or 21.2 acres including adjacent public land. In 2015, following successive failed Care Quality Commission inspections, the site closed to clinical services, and the site closed to the trust last autumn. Now, a new mental health hospital is being built in Haxby Road, due to be opened in 2019. This leaves in question what will happen to the site. How will public land be disposed of in our city? NHS Property Services Ltd has been required to dispose of the site, and of course an attractive offer will be incredibly tempting.

Similarly, at Duncombe barracks in York, the Ministry of Defence is looking to dispose of that site, favouring 14 executive market-priced homes as opposed to 36 units urgently needed by the local community. Time and again, we are seeing public land being sold off to the highest bidder at the expense of the real needs of our city. No co-ordination or conversation is brought to our local community, which desperately needs homes. Surely, local government should have a say over these disposals. We are seeing more and more luxury apartments and executive homes. We have heard so powerfully today the reality of what happens then.

Of course, this is not what our city wants. The residents of York have been absolutely clear that they want to maintain the hospital site for vital health services for our city. I will explain the geography. Bootham Park Hospital is adjacent to York Teaching Hospital—our acute hospital—which is crammed on to a site that desperately needs additional land to transform health services and bring health into the modern age in our city. Without access to that land and the ability to repurpose Bootham Park Hospital and its site for health service use, health in our city will suffer.

We need transitional care and rehabilitation beds in a newly built specialised unit. We need a primary care-led urgent care centre so that our A&E is not crammed over yet another winter and our hospital is not exploding at
its seams. We need to ensure that we house our health sector workers in York. The hospital spends about £30 million a year on agency staff, because people cannot afford to work and live in our city. As a result, our services are poorer. We therefore need that land to create key worker houses for NHS staff. We need additional mental health services, particularly so that our young people have decent facilities. We need extra care facilities for an ageing population.

We do not want to see the magnificent parkland that I mentioned being utilised as the grand entrance to some luxury apartments, or even a hotel, or perhaps a golf course. No, we need a new public park for our city where children can play and sports activities can take place. We also need to ensure that third sector organisations have access to the land that they need. One Public Estate is on board and the acute trust is on board, but we need the Secretary of State to be on board, too.

Our city is crying out for this NHS facility. We need to expand and build for the modern age and transform healthcare from a medical to a social model and from a sickness service to a health service. We should not look at the short-term goals, which so often happens in politics, and miss the opportunity to build a health and wellbeing village for the future of my community that will touch every life and, of course, save money for the public purse in the long term.

Today, the clock is ticking, the gavel is raised and the highest bidder is making its move. The solution to Bootham Park Hospital is to save the site and ensure that it is there for healthcare in the future. Let us create a new life for Bootham Park Hospital and use our imagination to do so.

6.10 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): It is nice to round off my first year in Parliament with a recap of some of the highlights that I have been able to contribute to as a new Member. I think that any Member would agree that the most satisfying aspect of our job is seeing the real benefit we can have for our constituents’ lives, particularly in casework. That has made a real impression on me in the past year, in particular when it comes to dealing with the hostile environment policy. That has made a real impression on me in the past year, in particular when it comes to dealing with the hostile environment policy.

Today, the clock is ticking, the gavel is raised and the highest bidder is making its move. The solution to Bootham Park Hospital is to save the site and ensure that it is there for healthcare in the future. Let us create a new life for Bootham Park Hospital and use our imagination to do so.

Another case was Duc Nguyen, who was not so much a refugee but was trafficked to this country from Vietnam. He was arrested and put in prison for being forced to work in a cannabis factory, released and then detained by the Home Office, even though its own guidance says that it should not detain trafficking victims. The Home Office recognised that. We need to have a debate about how the Home Office puts its policies into practice, particularly in relation to detaining victims of human trafficking. That was another case that struck me as particularly difficult.

I was very pleased to welcome a constituent, Giorgi Kakava, to the House yesterday, and he sat in the Gallery to watch a debate. It was great to bring him to the heart of our democracy, given that he has been under so much stress in the past few months. His mother tragically died in February this year, leaving him an orphan. He is 10 years old and has lived in this country since he was three, yet he was threatened with deportation by the Home Office. Luckily, after my intervention in Prime Minister’s questions, the Home Office decided to grant him temporary leave to remain, but we have to continue to fight for him to be given permanent leave to remain. He speaks with a Scottish accent. He is one of us, and he is at school with his friends in Glasgow. The notion that he could be deported to Georgia—a country that is alien to him—is totally absurd.

Those are some of the absurdities that we see in our immigration system. I hope that we can address them in the forthcoming term, to re-establish confidence and dignity in our immigration system and uphold British values.

We have to address the Government’s industrial strategy, particularly in relation to renewables. Gaia-Wind, a company in my constituency that is a world leader in small-scale renewable energy, nearly went into liquidation because of the Government’s failure to introduce a transition from the feed-in tariff for small-scale renewable energy. That needs to be addressed, and it is irritating and extremely frustrating that the Government continue to leave companies that offer so much potential for wealth creation in our country in limbo.

I am worried about the roll-out of universal credit in my constituency in September. We have already seen failures when it comes to personal independence payment assessments. The level of appeals is absurd, and 71% of appeals are successful, which shows how broken the system is. We have to deal with that. I am worried about the transition from disability living allowance to PIP in my constituency, given that there have been 1.6 million underpayments. That shows that there is a severe drop-off in entitlement, which we need to address.

I have been asked by my constituent Daniel Haggerty to raise the issue of social housing. Last year, the number of social rented houses built was probably the lowest on record since the second world war. We need to seriously address that, and Labour’s commitment to increase the number of social houses built and increase our social house building programme to the largest in 30 years is laudable.

I want to address the industrial strategy in this country. In an announcement sneaked out today, the Government have said that they will delay the procurement of the Type 31e frigate. We have already seen disruption to the shipbuilding programme in the UK from changing
the Type 26 programme to a Type 31 build split, and we now to have a delay to that programme. As a matter of urgency, we need to address this and provide certainty for our shipbuilding industry. As someone who grew up around it, I know what that means. In the 1990s, yards competed against each other for contracts—drip fed—which meant insecure employment, disinvestment and a lack of competitiveness. We need to get into a virtuous cycle for our industrial benefit, which means having highly secure jobs. The Government must get a grip on the Type 31 programme as a matter of urgency, which is why I look forward to debating it in the forthcoming term.

6.15 pm

Mary Glindon (North Tyneside) (Lab): It is an honour to follow my hon. Friend the Member for Glasgow North East (Mr Sweeney), who has definitely made his mark with the excellent things he is already doing in the House. I congratulate the two new Members who have made their maiden speeches; I am sure that they will be excellent advocates for their constituents.

As a member of the associate and retired members branch of the Public and Commercial Services Union, and as vice-chair of the PCS parliamentary group, I congratulate the PCS on yesterday’s national pay ballot, in which 85.6% of people voted for action, on a 41.6% return. However, I would like to express my concern that because of the Government’s anti-democratic Trade Union Act 2016, the ballot did not quite reach the 50% threshold, and the members were not allowed to do any kind of e-voting. Those civil servants will now be subject to another 1% to 1.5% unfunded pay rise. I hope the Minister agrees that this is particularly worrying because a recent survey by the Department for Work and Pensions showed that more than 70% of its staff had experienced financial difficulty during the past year. We can only imagine the depths of the low morale that civil servants are now experiencing.

As co-chair of the drugs, alcohol and justice cross-party group, I am aware that Public Health England is reviewing the impact of the introduction of minimum unit pricing in Scotland. I am not sure how long that will take, but have the Government considered the health impact of delaying the introduction of minimum unit pricing in England? The 2012 alcohol strategy gave a commitment for its introduction, and it was delayed only because of the drinks industry’s legal challenge to Scotland’s evidence-based policy. The rationale for further reviews is not clear. Surely more delay merely signals that England is less concerned than Scotland and Wales about alcohol-related illness, deaths and crime, and its vulnerable young people.

At last week’s Prime Minister’s questions, the Prime Minister gave a disappointing reply to the hon. Member for Ards (Sammy Wilson), who is doing a doctorate in Irish history, recently told me that he had been going down from Ards to Portaferry, admiring along the way all the culture and the rich historic artefacts that we have. It was night-time, so he got on to a bench and went to sleep. Next morning he was woken by a gentleman shaking his shoulder, who gave him a hot coffee and a warm breakfast. In my constituency we have compassion for others, and I believe that that clearly shows the drugs, alcohol and justice cross-party group is writing to the Home Secretary to call for permission to be granted for a drug consumption room to open in Glasgow. I urge the Government to show more compassion and less complacency in drugs and alcohol policy at a time when drug deaths are already at record levels and there are more than 1 million alcohol-related hospital admissions each year.

Finally, I invite the Minister to watch the BBC documentary “M.E. and me”—produced by Cat Donohoe and presented by her sister Emma, who has ME—which looks at how young people cope with this debilitating illness. I ask him to urge the Government to provide funding for adequate and appropriate research on ME in support of the 250,000 sufferers in the UK.

Madam Deputy Speaker, I wish you a restful recess. I hope that everyone in the Chamber and across the House has a wonderful recess and comes back refreshed in September.

Madam Deputy Speaker (Dame Eleanor Laing): I thank the hon. Lady for her kind words. On behalf of everybody behind the scenes in the House, I thank everyone who has spoken so eloquently this afternoon and wished a good recess to everybody who supports us here in the House of Commons. No, I have not forgotten the hon. Member for Strangford (Jim Shannon)—far from it. It has become a sort of convention—almost a tradition—that the last speech from the Back Benches should be made by the hon. Member for Strangford. Right now is no exception when I call, to make his 44th speech of the Session so far, Mr Jim Shannon.

6.20 pm

Jim Shannon (Strangford) (DUP): After such an introduction, I am almost overwhelmed. Thank you so much, Madam Deputy Speaker; you are very kind.

I wish to raise a topic that is very important to me: homelessness on our streets, and what we as communities can do to help. I do not have not enough time to go through this, but I will briefly summarise where we are.

All this started with a discussion in my office during the harsh storms at the end of March. My office manager and a number of friends in Belfast took it on themselves to cook up hot meals and soups, and distribute them to those who were on the streets. We can always measure a nation, a people or an individual by their compassion for others. It is my firm belief that in this developed nation, which seeks to help the poor in developing countries, there must always be a way of ensuring that we take care of our own. Charity must be abroad, but also evident at home.

I put on record my thanks to charities such as the Simon Community that help the homeless. The individuals involved are so kind-hearted as they set out to make the small difference that they can with all that they have.

I want to tell a quick story. A fellow I know quite well from my constituency, who is doing a doctorate in Irish history, recently told me that he had been going down from Ards to Portaferry, admiring along the way all the culture and the rich historic artefacts that we have. It was night-time, so he got on to a bench and went to sleep. Next morning he was woken by a gentleman shaking his shoulder, who gave him a hot coffee and a warm breakfast. In my constituency we have compassion for other people, and I believe that that clearly shows...
the nature of Strangford. Are we in this place doing enough, like that gentleman, to ease the burden for individuals we perceive as needing a little help?

The Northern Ireland Audit Office says: “Contrary to popular belief, homelessness is not restricted to people who sleep rough, it encompasses a much wider range of individuals in a variety of circumstances”.

We must acknowledge that mental health certainly plays a role. The fact is that, as a result of the troubles, the prevalence of mental health issues is 20% higher in Northern Ireland than elsewhere, and that has a knock-on effect on our homelessness. Indeed, we have a higher proportion of homelessness than any other region of the United Kingdom, so the issue is extremely important. I was startled by the fact that the number of people deemed homeless has increased by 32% in the last five years. Some 12,000 households—individuals and families—were accepted as homeless in 2016-17, and between 2012 and 2017, homelessness in Northern Ireland cost some £300 million. That focuses our minds on the clear issues that we have in my constituency of Strangford and also, I believe, throughout Northern Ireland.

I want to put on record my wonderful relationship with those at the local Housing Executive, who work tremendously hard to secure appropriate housing for needy people as quickly as they can source it. In particular, I want to put on record my thanks to the regional manager for the Housing Executive—Owen Brady, certainly a man of action. He may be small in stature, but I tell you what: he is a man who makes up for that in his energy. Although he is unable to meet the needs of every person who presents themselves to the Housing Executive as homeless, his team works hard to do its best for those who need that the most.

There are simply not enough available houses for those in need. Last year, the Simon Community in Northern Ireland made 369 warm beds available in Northern Ireland, accommodating some 2,391 people. It is increasingly concerned about the high prevalence of mental health issues such as self-harm and suicide attempts among those experiencing homelessness. With mental health issues affecting one in five people in Northern Ireland, that homelessness charity wants to draw attention to mental health issues as both a cause and an effect of homelessness. We must do more in this place to offer and deliver mental health support—not simply to those in the street, but to those who are at risk of shortly finding themselves living in a sleeping bag in our city centre. Do I believe we have got it right? No. Do I believe that we have an opportunity to stop doing the same thing and do it differently? Yes. Do I believe that we must do this urgently? Yes, we must. It is incumbent on us to make changes to the level of housing and mental health needs that are found on our streets in every corner of the United Kingdom of Great Britain and Northern Ireland.

To you, Madam Deputy Speaker, and to Mr Speaker and the other Deputy Speakers, thank you for your kindness, your compassion and your help to Back Benchers. It is always good to speak in this House. I thank my family and my staff, and the good people of Strangford. It is truly the most beautiful constituency—I believe this with all my heart—in the whole of the United Kingdom of Great Britain and Northern Ireland. Come to Strangford for your holidays! I think no matter who you are, you will enjoy it, and I will be there to welcome you. Madam Deputy Speaker, I wish you and your staff a happy recess. To everyone here who makes our lives much easier—to the Hansard staff who try to understand my Ulster Scots, to the security staff who give us such service, and to those in the Tea Room who look after me with my coffee every day—I say thank you very much.

Madam Deputy Speaker (Dame Eleanor Laing): I thank the hon. Gentleman for his good wishes.

Just before I call the Front Benchers, it might be helpful for the House to know that, following the point of order raised earlier by the hon. Member for City of Durham (Dr Blackman-Woods) about the availability of copies of the national planning policy framework, I can tell the House that the framework has now been laid before House and copies are available in the Vote Office.

6.26 pm

Chris Stephens (Glasgow South West) (SNP): Thank you, Madam Deputy Speaker. May I just say that half an hour after I raised my point of order, the Secretary of State for Defence apologised and sent me a letter? That goes to show that if Members raise a point of order in this place, it can be very effective.

I congratulate the hon. Members for Lewisham East (Janet Daby) and for Sheffield, Hallam (Jared O’Mara) on their maiden speeches. I am touched that the hon. Member for Lewisham East is another proud trade union activist and former public sector worker like myself. This Chamber is graced with former public sector workers and trade union activists.

The Deputy Leader of the House is wearing yellow and black socks today. I thank him for that, because he is obviously commemorating the 10th anniversary of the Glasgow East by-election that was won by John Mason.

It is not funny how life imitates art? I was struck by that yesterday when a Scottish Conservative mentioned “Game of Thrones”. Those who watch the programme will know that the series ended with the sometimes popular male blond hero walking out on his female leader because of strategy and tactics. Isn’t that funny? How will this saga end, Madam Deputy Speaker?

Bob Stewart: The hon. Gentleman has just ruined it for me. I was really looking forward to the end of the series, but now I know the endgame—absolutely ruined!

Chris Stephens: I apologise to the hon. Gentleman, but the series ended a year ago.

How will this saga end? Will the male blond hero be the winner, or will the female leader somehow manage to find another way of clinging on to power? But never mind about that: when are going to get another episode of “Game of Thrones”? As the Deputy Leader of the House will know, Scottish National party Members call the Tories the Lannisters, which makes the Scottish Tories House Bolton.

Let me wish every Member a good summer recess. I think it was the hon. Member for Lewisham East (Bob Blackman) who said it is not a holiday—he is absolutely right. I am hosting a universal credit drop-in event tomorrow morning in Penilee community centre in my constituency. I echo Members’ comments about the
effect that universal credit is having on the community.

The Government need to look at this week’s revelations by whistleblowers who used to work on universal credit about the very serious effects of systematic errors on claimants. It is time to pause and fix universal credit.

It is not just our social security system that is broken. As hon. Members have pointed out, the immigration system is broken too, with a “hostile environment” and asylum seekers waiting years for decisions. I discovered another issue this weekend when my constituent Hamid Ahmad, an Afghan interpreter for the British Army, came to see me at my surgery.

Several hundred Afghan interpreters for the British Army are part of a five-year resettlement scheme to the UK, and I find it astonishing that when some families who were brought over on the scheme, who now have children born in the UK, applied for British passports, they were told by the Home Office to apply for Afghani passports instead, because they are not being accepted as British citizens. I hope that the Home Office will deal with that. There are also some men who did not bring their families initially, but who tried to bring over their partners on spousal visas and are having difficulties with that, too. I would have thought that interpreters who have helped the armed forces in this country should be treated a lot better than that.

The hon. Member for North Tyneside (Mary Glindon) mentioned public sector pay and the Public and Commercial Services Union ballot, and I want to associate myself very much with her remarks. We have discovered today that the public sector pay cap is still in place, because the Treasury is still only funding each and every UK Government Department 1%, and each and every other Department has to find the additional money to fund a decent pay rise. I hope that as we go into recess, the Ministry of Defence will pay the living wage to those employees who are not in receipt of it. There are 220 in Scotland, and I am sure that there are others elsewhere.

I want to associate myself, too, with the comments by the hon. Member for Glasgow North East (Mr Sweeney) on the suspension of the Type 31e frigates procurement process. It is absolutely astonishing that we come here but there has been no statement.

Vernon Coaker indicated assent.

Chris Stephens: Does the hon. Gentleman want to intervene?

Vernon Coaker: No, I was just agreeing.

Chris Stephens: It is absolutely astonishing that no statement has been made in the House on the suspension of that programme. What is even worse is that if there was one procurement process suspended in the Ministry of Defence, we would think it would be not for the Type 31e frigate but for the fleet solid support ships—the Royal Fleet Auxiliary ships—which, astonishingly, are being put out to international competition, despite the benefits that a UK-wide bid would have to our economy. It is absolutely astonishing.

As an MP from Glasgow, I was delighted to table early-day motion 1534, commemorating the centenary of the birth of the great Nelson Mandela and to congratulate the Nelson Mandela Scottish Memorial Foundation on its work, which is fundraising and trying to find £250,000, so that there can be a statue of the great Nelson Mandela in the city of Glasgow.

Comments have been made by many hon. Members, including the hon. Member for Gedling (Vernon Coaker), on the work that I am proud to have done in the last year with Show Racism the Red Card. As the vice-chair of the Show Racism the Red Card all-party group, I was delighted to see schools in my constituency—Lourdes Primary School and Hillington Primary School—win awards in the Show Racism the Red Card Scotland’s creative competition.

I am proud to be a part of the Youth Violence Commission, which has just published its interim report. It is important that we try to spend some time in this place discussing how the creative industry can help to address the problem with youth violence, giving young people an opportunity to express themselves through film making and various other creative arts. I was delighted that the South West Arts and Music Project received a grant of £91,000 from the Scottish Government.

As I said earlier, this is not a holiday; it is a recess. I want to thank you, Mr Speaker, and the whole parliamentary staff, who look after us, speak to us and often cheer us up. I wish them all the best for the summer. I also want to pay tribute to the constituency staff right across these islands—I am sure that everyone in the House would agree—who help us as Members of Parliament. I place on record my thanks to Joe Murray, Scott McFarlane, Tony McCue, Mary Jane Douglas, and particularly, Keith Gibb and Roza Salih. Their energy, enthusiasm and hard work are infectious, and I look forward to working with them in the summer and beyond.

6.34 pm

Karin Smyth (Bristol South) (Lab): This time last year saw my first speech at the Dispatch Box in this role. We had just returned from the snap general election, and I talked about the clear message the public had sent the Government. I rather hoped the Government had learned from it. I thought they might have learned a bit of humility or taken the opportunity to reflect on the red lines and whether the “no running commentary” approach was perhaps not working, or that maybe it was time to respect Parliament and the voices of Members speaking on behalf of constituents in scrutinising the Executive. But no! Here we are a year later, and the public infighting over Brexit in the Conservative party and the Cabinet is like nothing ever witnessed. When after two years a Brexit White Paper was produced, it had more holes in it than a Swiss cheese, and it was devoured just as quickly. Remarkably, we have had another one today—snuck out on the day when last week they did not even want us to be here. We wait two years for a Brexit White Paper, and then, like the proverbial buses, two come along at once.

The right hon. and learned Member for Beaconsfield (Mr Grieve) has warned us that we might be heading for a state of emergency. The Brexit Secretary resigned, the Foreign Secretary resigned, the Parliamentary Under-Secretary of State for Exiting the European Union resigned, and a handful of Parliamentary Private Secretaries resigned. The Prime Minister’s own Back Benchers rebelled, allegedly were duped and then rebelled again. The Work and Pensions Secretary admitted misleading
Parliament over her response to the National Audit Office report on universal credit but then apologised—sort of.

If only the Prime Minister had taken a different path last summer. There has been a worrying disregard for parliamentary sovereignty and convention. The history books have been trawled for ways to avoid scrutiny. We have seen a breaking of the pairing convention and noddling through and Government Members continuing not to turn up or vote on Opposition day debates. How do we justify this to the people who send us here to represent them and to debate issues that affect them? How can this be explained to my constituents as a good use of parliamentary time?

Beyond this place, many are giving up raising an eyebrow at Brexit developments—perhaps that was the Government’s plan all along. All the while, critical legislation have seen a breaking of the pairing convention and trawled for ways to avoid scrutiny. We have had a worrying disregard for parliamentary sovereignty and convention. The history last summer. There has been a worrying disregard for the real need for discussion of older people’s care and what is happening in Wales.

The hon. Member for Redditch (Rachel Maclean) made an important speech about the menopause. She was right to raise that taboo subject, which, as she said, had been discussed only 27 times here in the last three years. She has upped the average today, and I wish her luck with her campaign on women’s health.

In the first of two maiden speeches, my hon. Friend the Member for Lewisham East (Janet Daby) said, “Lift as you climb.” Hers was a well-made speech. We are all looking forward to the party on the streets of Lewisham to which I think she invited us, and we must make sure that our own street parties are equally good.

My hon. Friend the Member for Gedling (Vernon Coaker) highlighted problems with benefits of which, as he said, even Ministers are aware. He also made a passionate defence of the important priority for the 16 Labour MPs having made speeches this afternoon. We started with the hon. Member for Worthing West (Sir Peter Bottomley) talking passionately about his constituent Sergeant Gurpal Virdi and calling for an inquiry. My hon. Friend the Member for Norwich South (Clive Lewis) talked about the history of Colman’s. I did my undergraduate degree in the fine city of Norwich, and he put the case well on behalf of the three generations of workers in those companies and how shoddily they had been treated.

The hon. Member for The Cotswolds (Sir Geoffrey Clifton-Brown) talked about a range of issues and the potential to designate his area as a national park— it is certainly an area of natural beauty. My hon. Friend the Member for Ealing Central and Acton (Dr Huq) spoke on behalf of several businesses. She was very successful last year on behalf of the Sweetland factory, and I wish her good luck this time on behalf of those other companies. The hon. Member for Southend West (Sir David Amess) gave us a feast of issues, as he always does, and again mentioned the campaign to make Southend a city. I wish him good luck with that.

My hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) raised several issues on which he hoped the Government could offer assistance and gave a graphic depiction of the impact of domestic violence on women and children and the shocking conditions in which people are living in hostels and Traveldodges without basic facilities. The hon. Member for Harrow East (Bob Blackman) also talked about a range of issues and gave a strong commitment particularly to Equitable Life pensioners. Somebody from that campaign came to my surgery, and I wish the hon. Gentleman luck with that. I know he will continue fighting on their behalf.

My good friend the hon. Member for Stoke-on-Trent North (Ruth Smeeth), a champion for the Potteries, highlighted the importance of using Staffordshire bricks and tiles in future housing developments. She gave us, though, some shocking statistics on the quality of uninhabited estates in her constituency and rightly put the developers on notice. I know that she will follow that through. The hon. Member for Beckenham (Bob Stewart) made an important speech on behalf of Gibraltarians about the impact of Brexit. My hon. Friend the Member for Clwyd South (Susan Elan Jones) told us the old know and the young think they know. She joined me this year in the over-50s, so I am hoping that one day both of us will know. However, she made a serious speech about the real need for discussion of older people’s care and what is happening in Wales.

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The hon. Member for Reading East (Matt Rodda) presented a great case for making the cultural and artistic heritage of Reading Gaol available to the country, and I hope that he is supported in that aim.

My hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) raised a range of issues on which he is well known for running important campaigns. He will continue to do.

In the second maiden speech, the hon. Member for Sheffield, Hallam (Jared O’Mara) talked about his constituency, and also about the important issues of inclusion, equality and social justice. He said that he wanted to be the best MP that he could be, and I wish him well in that endeavour.

The hon. Member for Brighton, Pavilion (Caroline Lucas) focused on her experience of managing to visit Yarl’s Wood after waiting for 18 months, and of hearing from the women there about the mental torture that they had endured.

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My hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) raised a range of issues on which he is well known for running important campaigns. He will introduce the final Adjournment debate this evening, ensuring that the Government keep on working to the very last.

The hon. Member for Stafford (Jeremy Lefroy) made important points about local government finance as well as international crises. My hon. Friend the Member for Stretford and Urmston (Kate Green) highlighted the work of developers in her constituency, and the importance of our homes as places in which we need to feel safe. She also spoke of the pressure on the emergency services.
The hon. Member for Cheltenham (Alex Chalk) talked about trains from Cheltenham, and how much more expensive it was to travel to Manchester than to Bristol. That is astonishing, when we consider how much better Bristol is as a city than Manchester. The extra £25 is well worth spending—every penny of it! I also discovered that if I visit Cheltenham for the evening, I can stay there until 10.50 pm, but if the hon. Gentleman comes to visit Bristol, he must leave at 10 pm. Bristol is barely getting going at 10 pm, so I wish him well.

My hon. Friend the Member for Great Grimsby (Melanie Onn) talked about youth services, and her important constituency campaign on cauda equina syndrome. She also talked about the Grimsby town deal, and the need to ensure that the Government make a long-term commitment to support Grimsby.

The hon. Member for Congleton (Fiona Bruce) made an interesting speech about local museums and Bradshaw House. My hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) reminded us that she was involved in her ninth campaign to save local hospital services. She said that the NHS had spent £50 million on consultations in 20 years, and that there would be four public meetings in August. I hope that she enjoys them all. I am sure that she will be there and will make sure that people listen, as she always does.

My hon. Friend the Member for York Central (Rachael Maskell) continues her Bootham Park hospital campaign, on which I have worked with her before. She recognises the importance of land as an enabler for decent healthcare services and key worker housing, and I wish her luck with her campaign.

My hon. Friend the Member for Glasgow North East (Mr Sweeney) talked about refugees and the value that they bring to our country, about renewable energy, about social housing, and about the importance of shipbuilding to his constituency. My hon. Friend the Member for North Tyneside (Mary Glindon) talked about the Public and Commercial Services Union and how its recent ballot worked; she also talked about drug and alcohol policy and ME.

Finally, we heard the 44th speech of the Session—quite remarkable work—from the hon. Member for Strangford (Jim Shannon), who also invited us to visit his constituency.

I talked about chaos earlier, but at least during the last few months the country has been blessed with weeks of wonderful sunshine, an exciting World cup to enjoy, and—for most of us—an England football team to be proud of. We have also had a royal wedding and a royal birth, and “Love Island” is beguiling the nation. Looking forward, I can tell any Members who are not tired of too much hot air so far this Session that in Bristol in August we will have the annual balloon fiesta, which I can highly recommend. In my constituency this weekend we will have the “Upfest”, a three-day festival celebrating some of the world’s best graffiti art. Apparently, 100 years of women’s suffrage will be celebrated in collaboration with “The Simpsons”; I have been told to watch out for a post-feminist Lisa.

Last year I invited Members to visit my constituency, the home of Bristol City football club, to watch some high-quality football. During the season, Watford, Stoke City, Crystal Palace and Manchester United found out about that high-quality football to their cost. I am sure there will be more victories in the coming months, but this year I extend a special invitation to followers of a different sport, as Bristol rugby team, the Bears, retake their place in the top division. My right hon. Friend the Member for Exeter (Mr Bradshaw), the hon. Member for Bath (Wera Hobhouse) and the hon. Member for Gloucester (Richard Graham) will be particularly welcome.

Mr Speaker, it has not been dull: since last we broke at Easter it has been a veritable rollercoaster, and I am sure colleagues across the House are looking forward to some well-deserved down time with their families and friends, as am I. I offer a big thank you to all the House staff for their hard work in keeping this unique and wonderful estate running: the kitchen staff, the Clerks, security, housekeeping, facilities, and our own staff, as we have mentioned—the list is endless. I thank everyone present and wish everyone a happy, healthy and peaceful recess.

6.45 pm

The Lord Commissioner of Her Majesty’s Treasury (Paul Maynard): In these 95° temperatures, I am sure we have all noted Public Health England’s advice to stay indoors and I am glad that so many hon. Members have taken that advice today and gathered here. But this is a strange venue in which to seek shelter from the heat, given the heated debates we have had over recent weeks here—so hot that perhaps we ought to be wearing aluminised fibreglass suits to withstand the hot air that has been generated. None the less we were all gathered here. Sleepless nights, increased irritability, vexatious points of order—harmony has perhaps not been the watchword of this Chamber over recent weeks. But it has undoubtedly been an historic parliamentary term that will live long in history for what we have collectively achieved, and we can all say that we were there, even though many of us maybe wished we were not.

It is fitting that before our recess—a recess is not a holiday; we are all working hard; I have meetings too this week—we have had the traditional “Matters to be raised before the forthcoming Adjournment” debate. We have had many contributions, far more than usual, and I cannot guarantee to reply to every point raised, but my diligent officials will make sure that all relevant comments are passed on to the relevant Departments.

Many of us attend summer fetes—we have done so already and will do in the coming weeks—and this debate is rather like dipping our hand in a lucky dip bran tub. In it goes, we feel some indistinct, indeterminate shape between our fingers, pluck it out and wonder what it could be. Today it turned out to be the constituency correspondence of my hon. Friend the Member for Southend West (Sir David Amess). We look at it and wonder what to do with it—I will respond in due course. We have also had two fine maiden speeches today, and I congratulate both Members on making them, in particular the hon. Member for Lewisham East (Janet Daby), who I see in her place. She gave a passionate speech and I look forward to her contributions in the House.

I will do my best to get to every Member who was here. Those who have not made it back for the wind-ups might not get my fullest attention, but those who are here will get an iota of my attention.

First and foremost, the hon. Member for Norwich South (Clive Lewis) spoke passionately about his town—
Clive Lewis: City.

Paul Maynard: I beg the hon. Gentleman’s pardon; as Blackpool is only a town, not a city, I assume everywhere else has to be a town as well. He spoke passionately on behalf of his constituents and we heard what he had to say about the actions of Unilever in the city of Norwich.

On the speech by the hon. Member for Ealing Central and Acton (Dr Huq), I am delighted to hear that I achieved something during my relatively brief phase as HS2 Minister. I am also glad to hear that there is plenty more for my successor, my hon. Friend the Member for Wealden (Ms Ghani), to engage in in the days and weeks to come. I heard with great sadness the story the hon. Lady told about young Sophie and I am sure the whole House passes on our thoughts to her family at what must be a very difficult time. My officials will make sure that the hon. Lady gets an answer to her question from the relevant Ministers about how the organ donation scheme might operate.

The speech of my hon. Friend the Member for Southend West was a masterclass in compression. I gather he raised 32 separate issues in seven minutes, which you, Mr Speaker, can only approve of: o si sic omnes—if only we could all achieve that, and I rather fear we might. He highlighted the rich fabric of community and voluntary activity in Southend, and again he plugged the case for Southend city status. I reiterate my two-for-one deal: if he backs Blackpool for that status, I will back Southend in turn, but I have heard only a deafening silence from our last recession debate.

The hon. Member for Birmingham, Selly Oak (Steve McCabe) spoke with great passion. He reminded us of the significant benchmark for Louise Brown, a significant lady in the life of this country, and all that she represents. I particularly agreed with him about the unsuitability of using a Travelodge as a domestic violence refuge. I know the importance of the work that Fylde Coast Women’s Aid does, and the importance of refuges, and I am surprised that we still have to have recourse to using travel lodges for that purpose in this day and age.

My hon. Friend the Member for Harrow East (Bob Blackman) disappointed me: I was hoping to hear rather more about yoga, which I know he is a great proponent of. Given the many contortions that hon. Members have had to go through in recent weeks, and the odd positions that they have found themselves in, yoga would no doubt have been very helpful. It might well come in useful in the weeks to come. None the less, my hon. Friend spoke sensibly about the Equitable Life issue, and drew our attention to his personal role in developing the Homelessness Reduction Act 2017, which I know is so important.

The hon. Members for Stoke-on-Trent North (Ruth Smeeth) and for Stretford and Urmston (Kate Green) spoke on the issue of new homes, and I entirely agree with all the points they made. I have seen some horror stories myself, and I am sure that the Government will be inspired to action. I know that the hon. Member’s pressure will continue. There were many ideas, particularly from the hon. Member for Stretford and Urmston, that I am sure Ministers will want to take forward.

It was a delight to spend seven minutes in Gibraltar with my hon. Friend the Member for Beckenham (Bob Stewart). I have no doubt that Ministers are more than aware of their responsibilities with regard to the people of Gibraltar. They are a valiant people on their Rock, and I am sure that we would not wish to let them down in these difficult times.

In responding to the hon. Member for Clwyd South (Susan Elan Jones), I shall avoid the temptation that many at this Dispatch Box often feel to criticise the Labour Government in Wales. I shall simply point out that there is always a great deal that we can learn from the devolved Administrations—even, just occasionally, the one in Edinburgh. I am never insensitive to what we can learn from Scotland.

My hon. Friend the Member for Redditch (Rachel Maclean) spoke with great personal insight and demonstrated how we all bring immense personal experience to our proceedings in the Chamber. There should be no taboos in the House of Commons. We should all be able to speak about what we have learned from our own lives. We all have a unique insight, and we should always feel free to contribute in that way.

The hon. Member for Gedling (Vernon Coaker) spoke with his usual force and passion on the issue of mental health and the personal independence payment. I very much recognise the points that he made. It is a case of constant improvement with the PIP; we have to make sure that it continually improves. I know that Ministers are particularly focused on that matter, and the hon. Gentleman was right to raise it. I was disappointed to hear about the comments from the councillor he mentioned. I have fought long and hard to ensure that disability hate crime is recognised for what it is, and he was right to encourage people to continue to report examples of it.

The hon. Member for Brighton, Pavilion (Caroline Lucas) spoke with her usual forthright trenchantness, if that is a word; I am not sure that it is. I hope that she will have welcomed the Home Secretary’s comments earlier today when he made his statement on the Shaw review. It is important to remember that anyone who is in detention, for whatever reason, is still a human being. They have a dignity that is unique to them as an individual.

The hon. Member for Reading East (Matt Rodda) and my hon. Friend the Member for Congleton (Fiona Bruce) showed creativity in what they put forward for their local areas. I will make sure that the Arts Minister gets a bumper pack of things to think about over the summer.

My former MP, the hon. Member for Poplar and Limehouse (Jim Fitzpatrick)—he is perhaps still my best former MP—again gave us proof of why he should always be listened to on issues of electrical and fire safety. His list of policy adjustments is not so much a Government achievement as his own, and it proves the Speaker’s adage, “Always persist.” He is certainly persistent on the things that matter most to him.

My hon. Friend the Member for Stafford (Jeremy Lefroy) demonstrated why he continues to be held in such high regard on both sides of the House. I am sure that he awaits our social care Green Paper with anticipation, as do I. I am also pleased that he joins me in welcoming the fact that Eritrea and Ethiopia are now getting on better. I saw a fascinating photo of the first flight from Asmara to Addis Ababa just the other day; that was good news.

My hon. Friend the Member for Cheltenham (Alex Chalk) overlooked the key fact that I am not the Rail Minister any more. None the less, the shadow Rail Minister,
the security staff who protect us from all anxieties, the
watered, the Library staff who fertilise our brains, and
the catering staff who keep us fed and, most importantly,
Deputy Speakers, the Clerks who keep us ticking over,
for your stewardship over the past year, your team of
any breaks that I may take.

I hope she has a pleasant
degree of trepidation that the Prime Minister is once
that he has the time to do so—only joking.

time to watch the latest television shows, but I am glad
please. I am so busy being an MP that I do not have
have only got to season four of that, so no spoilers,
not Scottish. His allusions to "Game of Thrones" were
few do—but I hate to tell him that they are Australian,
South West (Chris Stephens) paid attention to my socks—so
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South West (Chris Stephens) paid attention to my socks—so
few do—but I hate to tell him that they are Australian,
not Scottish. His allusions to "Game of Thrones" were
wholly lost on me. I am a "Mad Men" fan, although I
have only got to season four of that, so no spoilers,
please. I am so busy being an MP that I do not have

time to watch the latest television shows, but I am glad
that he has the time to do so—only joking.

As we look to our summer recess, I note with some
degree of trepidation that the Prime Minister is once
again walking at high altitude. I hope she has a pleasant
and relaxing break and no bright ideas. Just to be on the
safe side, I am very much sticking to low-lying areas for
any breaks that I may take.

I want to take this opportunity to thank you, Mr Speaker,
for your stewardship over the past year, your team of
Deputy Speakers, the Clerks who keep us ticking over,
the catering staff who keep us fed and, most importantly,
watered, the Library staff who fertilise our brains, and
the security staff who protect us from all anxieties.

I wish all right hon. and hon. Members the most calm
and peaceful summer recess, because I think we all need
a bit of a lie down after the time we have had recently,
don't we just?

Mr Speaker: Before we come to the petitions and any
points of order that might precede them, I want to echo
what the Lord Commissioner of Her Majesty's Treasury
has said on the Government's behalf by way of appreciation.
Perhaps I can start by thanking all colleagues who have
contributed to this debate, but more widely I want to
recognise the conscientious application to their task
that they have shown ever since we came back after the
general election. Whatever may be said about colleagues,
and whatever people think of politicians, I know from
my vantage point how hard and dedicatedly people on
both sides of the political spectrum work in the Chamber,
in Committees, in all-party groups and in constituency-
related meetings and that should be recognised. People
are trying to do the right thing by their constituents and
their country. I thank colleagues for their engagement.

I thank the Leader of the House, who applies herself
with enormous intensity and commitment to the work
that she has to do, and wish her a very agreeable and
well-earned summer break. I wish the same to the
deputy shadow Leader of the House. Recognising that
we can do what we do only because we are magnificently
served by a vast number of dedicated, caring, efficient
and effective staff at all levels of the House, I thank the
staff of the House. Their work does not go unnoticed,
and it will always be appreciated. Have a good summer.

Vernon Coaker: On a point of order, Mr Speaker.
First, I think everyone would associate themselves with
those remarks.

May I apologise to the House for not mentioning my
entry in the Register of Members' Financial Interests
before my speech? I should have referred to my entry,
and I did not. I apologise to the House for not doing so.

Mr Speaker: I am extremely grateful to the hon.
Gentleman for what he has said, which I think will be
readily accepted by everyone in the House.

If I might be forgiven, I want to say thank you once
again to our maiden speakers. We heard two outstanding
speeches. The hon. Member for Sheffield, Hallam (Jared
O'Mara) is not now in his place, but I have offered my
respects to him. I reiterate to the hon. Member for
Lewisham East (Janet Daby) that hers was a speech of
great passion, authority and empathy. My very clear
sense is that it commanded enormous support and
respect across the House, and I wish her and the hon.
Gentleman a very good experience here in the House of
Commons.

PETITIONS

Litter in East Northamptonshire

7 pm

Tom Pursglove (Corby) (Con): This petition declares
that residents of East Northamptonshire and the
surrounding area want litter to be cleared, particularly
by the side of the A14. A similar petition has received
50 signatures.
Following is the full text of the petition:
[The petition of residents of the United Kingdom,
Declares that litter should be cleared from the East Northamptonshire area.
The petitioners therefore request that the House of Commons urges the Government to compel local councils to help clear the East Northamptonshire area of litter.
And the petitioners remain, etc.]

Mr Speaker: In case people attending to our proceedings wonder what is going on, the hon. Gentleman has not one petition but, to be precise, four, so I encourage him to give us the flavour of each of the other three petitions before troubling himself to walk in this direction again.

Oundle North Bridge

Tom Pursglove: I present this petition on behalf of the people of Oundle and the surrounding area who rely on Oundle North bridge, which provides vital access in and out of the town. A similar petition has received 1,474 signatures.

Following is the full text of the petition:
[The petition of residents of the United Kingdom,
Declares that a timely and satisfactory repair of Oundle North Bridge must be agreed between local residents and Northamptonshire County Council and East Northamptonshire Council.
The petitioners therefore request that the House of Commons urges the Government to compel Northamptonshire County Council and East Northamptonshire Council to agree on a plan to make sure repairs are implemented as soon as possible, and with as little impact as possible on the lifestyle of the local residents and the local economy.
And the petitioners remain, etc.]

Residential development on Addington Road, Irthlingborough

Tom Pursglove: I present this petition on behalf of the people of Irthlingborough and the surrounding area who have concerns about the impact of development 18/01009/OUT on Addington Road, which is already heavily congested. Residents are concerned about increased problems with parking, traffic and damage to vehicles.

Following is the full text of the petition:
[The petition of residents of the United Kingdom,
Declares an objection to the proposed residential development of 49 dwellings on Addington Road in Irthlingborough - 18/01009/OUT.
The petitioners therefore request that the House of Commons urges the Government to compel East Northamptonshire Council to object to the proposed residential development 18/01009/OUT.
And the petitioners remain, etc.]

Residential Development on Cheltenham Road, Corby

Tom Pursglove: I present this petition on behalf of residents of Corby who object to the proposed development of 18 new-build dwellings on Cheltenham Road. A similar letter of petition to Corby Borough Council has been signed by 102 local residents, and 93 other objections have been submitted.

Following is the full text of the petition:
[The petition of residents of the United Kingdom,
Declares an objection to the proposed residential development of 18 new build dwellings on Cheltenham Road in Corby - 18/00365/REG3.
The petitioners therefore request that the House of Commons urges the Government to compel Corby Borough Council to object to the proposed residential development.
And the petitioners remain, etc.]
Newcastle United fans. It follows on from the “If Rafa Goes We Go” campaign and online petition directed against Sports Direct and Newcastle United owner Mike Ashley.

The petition states:

The petition of residents of Coventry upon Tyne Central,
Declares that football is an integral part of Newcastle upon Tyne's social and cultural wellbeing; notes that fans of Newcastle United are heavily invested both financially and emotionally in the success of the team; further that the current manager Rafa Benitez needs the support of both fans and the club’s owner; further that this support should include investment in players, training facilities and community engagement; and further that the owner Mike Ashley has not made this support forthcoming.

The petitioners therefore request that the House of Commons to urge the Government to take action to prevent unscrupulous football club owners from exploiting the clubs, their fans and local communities, with particular reference to Mike Ashley and Newcastle United FC.

And the petitioners remain, etc.

Home Education: draft guidance and the consultation

Mr Geoffrey Robinson (Coventry North West) (Lab): I present this petition on behalf of the residents of the Coventry North West constituency, whom I have the honour to represent. It is about the “Home education: call for evidence and revised Department for Education guidance”, which is now, in effect, operative.

The petition states:

The petition of residents of Coventry North West constituency,
Declare that the ‘Home Education—Call for Evidence and revised DfE guidance’ has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated; further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons to urge the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

First-tier Tribunals and Freeholders

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

7.9 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I am delighted to be here this evening. There have been several obstacles to the debate taking place, but we are here none the less, and I am pleased to see the Minister in the Chamber.

I secured the debate to highlight some of the things that seem to have gone terribly wrong with the property tribunal procedures. We know that the Ministry of Housing, Communities and Local Government is committed to reforming the law in respect of leasehold tenure, but the Ministry of Justice needs to do more in respect of first-tier tribunals. I am grateful to Martin Boyd of the Leasehold Knowledge Partnership for his extensive assistance with this speech, and I am glad to see other colleagues who take an interest in these matters in the Chamber.

The property tribunal, or first-tier tribunal, is described as “quite informal” by the Government-funded Leasehold Advisory Service, which states:

“Tribunal hearings are quite informal. You can state your own case or have a friend or professional to speak for you. The Tribunal normally sits as a panel of three consisting of one legally trained member, one surveyor and one lay person to provide a balanced perspective. The Tribunal panel have control over the hearing and will decide in which order things are dealt with...You may require the services of a solicitor.”

That might be a correct statement in respect of some smaller cases involving smaller landlords, but in almost all large cases, or in cases involving large landlords, the tribunal process can be not only horribly complex, but formal and expensive.

Jim Shannon (Strangford) (DUP): This is an important issue. Does the hon. Gentleman agree that the Law Society must do all that it can to encourage firms to provide pro bono legal advice so that help is available for tenants if they are in a tribunal facing a big-firm opponent that is lawyered up?

Jim Fitzpatrick: The hon. Gentleman makes a good point about the advice available to individuals who seek redress in law and where they might seek it. As I will go on to explain, the playing field is not at all level in these tribunals. I hope that the Minister will comment on that later.

Bob Stewart (Beckenham) (Con): I was under the impression that first-tier tribunals were meant to be informal. We do not really want lawyers there; we want tribunals to look at the case and to give a decent, sensible, honest judgment.

Jim Fitzpatrick: The hon. Gentleman makes a good point. He is quite correct that these tribunals are supposed to be an informal means of dispute resolution, although it is thought appropriate for people to have some legal advice if they need it. However, we now regularly see highly specialist barristers and even QCs appearing for landlords before what are often part-time solicitor judges in what are meant to be our lowest form of court. Cases often go on for days, with landlords’ counsel ponderously
reviewing the most basic elements of a lease and the simplest issues of law. In some cases, tribunals seem to allow counsel to pontificate on the rights supposedly provided to leaseholders, which can be either uneconomic or impossible to apply. It may be true to say that the tribunal procedure rules are less formal than the civil procedure rules in the main courts, but this often seems to work to the benefit of well-represented landlords rather than leaseholders. Landlords are often able to ignore tribunal procedure rules with impunity.

There is a total costs imbalance at the tribunal. What was meant to be a low-cost forum has now become a costs regime that benefits only one side, and that side is the landlord. It is a one-sided arms race. In almost all cases, the landlord now arrives at the tribunal knowing full well that they will probably have a right to their costs under the terms of the lease. The tribunal has some powers to limit costs, but those powers are often ineffectual and may not be applied, even if the leaseholders win. Conversely, the leaseholder arrives at the tribunal knowing that they have no right to recover their costs under almost all circumstances.

Let us take a hypothetical situation in which a landlord overcharges 1,000 leaseholders £250 each. If the individual leaseholders want to dispute those charges, a single letter from their solicitor will probably cost them more than they could ever recover, but the landlord can afford to invest a substantial amount of the £250,000 that they may have overcharged to defend their position.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): My hon. Friend is raising an important point in his very important speech. Does he agree that this disparity of resources and funds is particularly iniquitous when the landlord is a charity and is using the funds not to give the leasehold to their tenants? That is the case with the St Mary Magdalene and Holy Jesus Trust in Newcastle.

Jim Fitzpatrick: My hon. Friend makes an interesting point. It is very dispiriting to see charities and other institutions that one imagines would be on the side of morality and fairness being caught up with offshore tax evaders and individuals who are unscrupulously taking money from leaseholders hand over fist and not actually looking after the building. Some institutions and individual organisations that are freeholders and landlords aid and abet developers to make this an unlevel playing field, and that is most dispiriting.

Let me go back to the point that I was making. If leaseholders want to take joint action, and that is if they can actually find each other—in multiple developments, there are investors who own the properties and people who sublet the properties, so it is not always easy to find them—someone will have to take on the burden of the work, knowing that they will never be paid for their time and effort. Almost inevitably, the leaseholders will recover only part of the £250,000, given that the test of reasonableness for costs at the tribunal has no concept of “good value”, let alone “best value”. Even if the leaseholders win, and the tribunal limits the landlord from passing on costs, it may not happen. With many developments, leaseholders have found that it is heads the landlord wins, and tails the leaseholders lose.

Under the Landlord and Tenant Act 1987, a badly managed development can apply to the first-tier tribunal for the appointment of a manager independent of the landlord who has mismanaged the site. This is known as a section 24 appointment. Removing a landlord’s management can be difficult. It can take more than one attempt, and each time costs are awarded against the leaseholders. Those costs can run to several hundreds of thousands of pounds—more like Supreme Court costs than those of first-tier tribunals. Freeholders can try to obstruct the court-appointed manager from doing his or her job. Some have been known to try to block residents from forming their own association to represent them. I have residents who have successfully resorted to the tribunal system to force the freeholder to recognise them. In one instance, the landlord appointed a Queen’s Counsel to fight their case, and they compared residents’ associations to 1970s militant trade unions—in this instance, the leaseholders were City professionals. Incidentally, as a 1970s trade union member myself, I feel a bit insulted that that was said as some kind of disparaging comment. Despite losing, the freeholder and landlord sought costs for a half-day hearing totalling £74,500, which the leaseholders had to pay. It is surreal.

Landlords in the social sector have also started to use highly expensive counsel. The Government could and should do something to stop this practice when the process should be about the facts of the case, rather than convoluted arguments about the law. I give as an example a social landlord in my constituency who also happened to be trying to stop a residents’ association from being recognised. The landlord went so far as to take a group of residents to the tribunal in three separate cases. The landlord presented a bundle of documents only on the day of the hearing in the second case, which was put down to “an internal reorganisation”, but also registered errors of fact from the original hearing. Only after a third hearing in the upper tribunal was the matter finally settled, with the residents gaining their formal recognition. Even though the leaseholders won in the second hearing, the landlord still sought to obtain not just a costs award, but a wasted costs order against the leaseholders. The net outcome of the case is that the social landlord will have less to spend on their buildings, their tenants and their residents, having spent large amounts on third-party lawyers.

That brings me to the main issue that I want to raise today: section 24 appointments. When the tribunal appoints a second manager, that manager acts as an officer of the court. He or she is required to act impartially in the best interests of the building. In theory, they are meant to report to, and to be supported by, the tribunal that appointed them. The reality seems to be that, once appointed, the tribunal has little interest in supporting its manager, who may face challenges from the landlord. In one case in my constituency, the court-appointed manager sought advice from the tribunal. The tribunal has repeatedly declined to support its manager.

The purpose of a section 24 appointment is to replace the landlord’s failed management, and then effectively to set out the business plan for the management of the site. The tribunal has wide powers in drafting this order, which can go wider, giving the manager powers beyond those provided for in the lease. The first-tier tribunal has powers to move problem cases to the upper tribunal, but that does not seem to happen, and certainly not in the experience of a number of my constituents. Furthermore, there appear to be many in the legal profession who are only too happy to take advantage of
I congratulate the hon. Member for Strangford (Jim Shannon). I was very interested to hear in the last debate that it was his 44th speech in this Session. I am pleased that he has remained for the final debate before the recess.

It might be useful for me to explain a little bit more about the first-tier tribunal and the matters it deals with. The chamber was created in 2013 following the transfer of the functions of three tribunals—the agricultural land tribunal, the adjudicator for the Land Registry, and the residential property tribunal—into the first-tier tribunal. The residential property jurisdiction deals with a number of matters relating to landlord and tenant law, including leasehold enfranchisement and lease extensions, liability to pay service charges, variations of leases, and the acquisition of the right to manage. It is an expert jurisdiction. The tribunal panels include valuers and, as the hon. Member for Poplar and Limehouse said, lay people with experience of landlord and tenant matters.

I turn to the specific question of the powers of the first-tier tribunal to appoint a manager under section 24 of the Landlord and Tenant Act 1987, and how they are enforced. Section 24 allows the first-tier tribunal to appoint a manager to carry out obligations contained within a management order that is issued by the first-tier tribunal. Although the tribunal makes the appointment, it is often the case that leaseholders apply for a manager to be appointed because the landlord has in some way breached the management obligations that it owes to them. In most cases, before the leaseholders make such an application, they must serve a notice on the landlord specifying in broad terms the landlord’s alleged breaches and what the landlord must do to remedy them. If the landlord does not take remedial action within a reasonable period, the leaseholders may then apply to the first-tier tribunal for the appointment of a manager.

Usually, the party applying nominates the individual manager they wish to have appointed, who is then required to prepare a management plan setting out his or her experience and explaining how he or she will manage the property. The first-tier tribunal has wide powers to decide on the matters to be included in a management order under section 24, which will typically deal with initial transfer of information, documentation, money and other items necessary for the manager to be able to perform his duties properly. It will also cover which management matters were transferred to the manager, such as maintenance, repairs, and collection of service and other charges from the leaseholders.

It might be helpful to explain the manager’s status in this type of arrangement. The manager is not a managing agent, nor is he employed or directed by the landlord or the leaseholders, including those who apply for his appointment. The Court of Appeal has stated that the appointed manager carries out the functions required by the tribunal, and he or she carries out those functions in his or her own right as a tribunal-appointed official. He is not appointed as the manager of the landlord or to carry out the landlord’s wider obligations under the lease, unless specified in the management order. In an appeal to the upper tribunal, His Honour Judge Huskinson said that if there is criticism of the conduct of the appointed manager and complaints are brought before
the tribunal, those criticisms must and will be examined with care, because they are made against the manager as a tribunal-appointed officer.

To be clear, the manager is appointed by the first-tier tribunal to carry out the duties required by the order appointing him. He is answerable to the tribunal, not to the leaseholders or to the landlord.

Bob Stewart: So who do people who have a complaint about the way that the management is functioning—leaseholders, in particular—go to if the manager is not answerable to them? Do they have to go to the tribunal again, or what?

Lucy Frazer: As the manager is a court-appointed officer, people can complain directly to the tribunal about his actions. The manager is a court-appointed officer answerable to the court, and any issues in relation to his conduct would be brought before the tribunal.

The hon. Member for Poplar and Limehouse asked about the support and protection available to managers who are carrying out their duties in what can be very difficult circumstances. As I said, the obligations are set out in full in the management order. It is for the first-tier tribunal to decide how the order is to operate and how the manager is to fulfil his obligations.

If a landlord is being so obstructive that the terms of the management order cannot be fulfilled, the manager can apply to the first-tier tribunal for further directions, and an order under section 24(4) can be made. Such an application can include a request that a penal notice be attached to the management order, and if a penal notice is attached and the landlord disregards it, the manager can apply to the county court for permission to enforce the management order. Enforcement of any provision of a section 24 management order, monetary or otherwise, is a matter for the county court, not the tribunal. That includes enforcement of penal notices that can attach to such orders.

The hon. Gentleman raised an important point about the inequality in some cases in relation to parties in the property chamber. He was right to say, as my hon. Friend the Member for Beckenham (Bob Stewart) was, that certain features of the tribunal are designed to make it less formal and more accessible than the courts. Where one side has retained legal representation, tribunal members are trained not to permit attempts at oppressive behaviour by legal representatives and will help unrepresentative parties to frame questions where necessary.

The hon. Member for Poplar and Limehouse made some interesting points about inequality in respect of costs. Parties should meet their own costs of litigating in the tribunal system, even when they are successful in their own claim. There are powers, however, for costs to be awarded where there is unreasonable behaviour. The tribunal has powers under its rules if applications are being brought oppressively by those with a stronger bargaining position and stronger powers. It can strike out proceedings that are frivolous, vexatious or abusive under rule 9(d), or if there is no reasonable prospect of an application succeeding under rule 9(e), but I acknowledge that he made interesting points in relation to costs.

The hon. Gentleman mentioned quite rightly that the MHCLG is looking at a wide variety of matters in the area of leaseholds. We are always looking to improve our processes. On 2 July my right hon. Friend the Secretary of State for Housing, Communities and Local Government announced that the Government would issue a call for evidence this autumn, to better understand the experience of people using the courts and tribunals services in property cases, including considering the case for a specialist housing court. My Department is also discussing with MHCLG officials what further work is necessary to speed up the appeals process for housing disputes across the courts and tribunals.

The hon. Gentleman asked to meet, and I would be very happy to meet him, to continue to discuss this important matter. I thank him again for securing the debate. It is right that we look at how we can continue to protect people and their property rights.

Question put and agreed to.

7.32 pm

House adjourned.
Westminster Hall

Monday 16 July 2018

[Mr Charles Walker in the Chair]

Dangerous Dogs Act: Staffordshire Bull Terriers

4.30 pm

Helen Jones (Warrington North) (Lab): I beg to move.

That this House has considered e-petition 222419 relating to including Staffordshire Bull Terriers in the Dangerous Dogs Act 1991.

It is a great pleasure to be here under your chairmanship this afternoon, Mr Walker. I admit that I am no expert on this subject; my only qualification to open the debate is that I have been bitten twice, both times while leafleting and both times by that breed of dog made famous by Sir Arthur Conan Doyle—the ones that do not bark. I therefore intend to outline the arguments briefly to allow others with more expertise than me the time to speak.

The petition was started by those opposed to suggestions in some quarters that Staffordshire bull terriers should be included on the list of prohibited dogs maintained under the Dangerous Dogs Act 1991. Those of us who are a bit long in the tooth will remember that the Act was introduced following a lot of reports in the press about dogs—in particular pit bull types—mauling people.

The Act forbids the keeping of certain breeds, unless the dog is granted an exemption certificate, adding it to the index of exempted dogs. In that case, the owner has a certificate of exemption for the lifetime of the dog, but they must comply with any restrictions placed on him or her, such as keeping the dog muzzled in public. It is an offence to breed from, sell or exchange any dogs listed in the Act—even an individual dog that has an exemption certificate.

Those of us who, again, have been around for a while know that legislation that gets passed quickly, with agreement from both Front Benches, is usually flawed. It was intended to prevent people from keeping and breeding dogs for fighting, but for a long time it has been argued that it is easy to get around the legislation—for example, by claiming that the dog is a Staffordshire bull terrier or an American bulldog, or by having a crossbreed, which is perfectly legal.

Other people have argued that such breed-specific legislation, or BSL, is the wrong way to proceed anyway. For example, the Royal Society for the Prevention of Cruelty to Animals has said that whether a dog is dangerous is “influenced by a range of factors including how dogs are bred, reared and experiences throughout their lifetime”.

The British Veterinary Association states: “we are opposed to any proposal or legislation that singles out particular breeds of dogs”.

John Spellar (Warley) (Lab): Is my hon. Friend leading to the key criticism of that piece of legislation, which is that the police, and particularly the courts, ought to be taking on irresponsible and vicious owners, instead of showing such reluctance, as they have done on so many occasions?

Helen Jones: I certainly agree with my right hon. Friend that there are a lot of irresponsible and vicious owners about, and I shall come on to that.

Another flaw in the Act was that the penalties for having a dog that is dangerously out of control applied at first only if the dog was in a public place or in a private place where it had no right to be; in other words, the Act did not apply to dogs that were at home, so to speak. That was remedied under the Anti-social Behaviour, Crime and Policing Act 2014, apart from exemptions involving people who were trespassers and who were in or about to enter a home.

We come down to two questions. Is breed-specific legislation the right way to proceed? If so, should Staffordshire bull terriers be included under that legislation?

Mr Alister Jack (Dumfries and Galloway) (Con): I have fond memories of my family’s childhood pet, Roger, who was a Staffordshire bull terrier of great character. I wanted to get him into Hound—or because he deserves it—he gave us a lot of pleasure as children. To add the breed to the Dangerous Dogs Act would be a travesty.

Does the hon. Lady agree that the problem is that people create dangerous dogs? People, not dogs, are the problem.

Helen Jones: That is often the case, and I am glad the hon. Gentleman managed to get Roger into Hound—and let us all hear it for Roger! That is the argument that organisations such as the RSPCA put: “Breed is not an appropriate criterion to assess a dog’s risk to people.”

However, the RSPCA also argues that the existing legislation does not promote animal welfare. It had to put down 232 dogs in two years, many of which it says could have been rehomed—I have reservations about the “many” because I am not sure how many people want to take on dogs listed under the Act. The RSPCA also said that, over the time we have had the legislation, admissions to hospital for injuries inflicted by dogs have risen. In fact, they rose by 76% between 2005 and 2015. There is also no scientific evidence to tie those injuries to the prohibited breeds.

As someone who is fairly neutral in the debate, I would like more information about that, simply as a precaution. Are we admitting more people to hospital than we used to? Are non-prohibited breeds causing the injuries? Or are too many dogs being kept in less than ideal conditions? All of us have met such dogs when canvassing—big dogs kept in small houses or flats without enough space to exercise and so on. Perhaps those conditions make the dogs more likely to bite.

We have to take the matter seriously. After all, about 21,000 people a year in England suffer a dog bite, and most of them are going about their normal business—for example, postal workers or delivery drivers. We need to find a way to protect them. In fact, 37 people have died in dog attacks since the Act was introduced.

The Select Committee on Environment, Food and Rural Affairs, which is chaired so ably by the hon. Member for Tiverton and Honiton (Neil Parish), is looking at the issue. The evidence it has has so far from animal welfare organisations and dog behaviourists—I did not even know that that was a job until I started to look into this—has been overwhelmingly in favour of looking at deed not breed when considering dogs.
People for the Ethical Treatment of Animals, however, supports a different approach. PETA has argued that Staffordshire bull terriers and American bulldogs ought to be added to the list of prohibited breeds. Its argument—if I may summarise it—is that those breeds are abused and neglected to make them fiercer, and it cites a number of incidents involving attacks. For example, last year an owner was killed in an attack by a Staffordshire bull terrier, and earlier this year, two of those dogs turned on a smaller dog and ripped it to shreds. PETA also recalled a 2012 incident when five police officers faced a pit bull-type dog. One of them ended up requiring skin grafts, two others were hospitalised, and three bullets were needed to stop the attack.

John Spellar: I thank my hon. Friend for giving way. Before she moves on, I must say that I find it surprising that we give any credence to that ridiculous organisation. Its main intervention previously has been attacks on anglers in the United Kingdom, which would not find favour with the huge number of anglers in the west midlands or indeed with you, Mr Walker.

Helen Jones: I am grateful to my right hon. Friend for giving way. I am simply trying to sum up the various views on this issue. Our petitioners say that these dogs make very loyal and loving pets and faithful companions—the hon. Member for Dumfries and Galloway (Mr Jack) mentioned his dog. On the one hand, the RSPCA promotes a more holistic view of dealing with dangerous dogs, with more education—especially for children—a better legal framework and greater enforcement of the law, along with more research into what makes a dog bite in the first place. By contrast, PETA would say that these breeds are kept, abused and fought because of their breed, and therefore should be banned. I am fairly agnostic in all this. We need much better information on which breeds are responsible for many of the injuries. Is there a pattern?

The League Against Cruel Sports says that the number of reported dog fights has risen sharply, from 72 in 2013 to nearly 500 last year. I do not doubt the figures, but I need to look behind them and find out whether they are increasing or whether the public and the police are getting better at reporting and dealing with these things. After all, dog fighting was rife in the 19th century, but there were no reports of it because there was no law against it.

John Spellar: The fact is that an organisation wishes to blacken the name of Staffordshire bull terriers, but this is—I say this as, I think, the only Member here from the old Staffordshire county—a very popular breed. As has been said, these can be, and often are, extremely good, friendly family dogs, and they are wonderful with children. It is absurd that this organisation is trying to ban them, rather than deal with the vicious owners and those who get involved in dog fighting. That should be the priority—not damning a breed that is so appreciated by so many in the west midlands.

Helen Jones: My right hon. Friend is right that there are strong arguments on the other side of the issue. Although it is undoubtedly true that we have made progress since 1991—all dogs now have to be microchipped, and we have extended the legislation to cover attacks on private land—we need to do more. What the animal welfare charities are putting forward will work very well with responsible dog owners.

The problem, as my right hon. Friend points out, is that many people who have these kinds of dogs are not responsible dog owners, but criminals. They use the dogs to fight, to defend themselves and sometimes to terrorise their entire neighbourhood, as we have seen. That is why the police have said in evidence that they are not prepared to move away from breed-specific legislation at the moment, although they might be prepared to do so in future. If we are going to do that, we will need much more evidence of what has caused the increase in dog attacks. We will also need a much stronger legal system and a better system of enforcing the law. There is no doubt that, when a number of people have these kinds of dogs, they abuse them deliberately to make them fearsome.

John Spellar: I see I am no longer the only Staffordshire MP in the debate. My hon. Friend talks about the enforcement of the law. Perhaps that should start with the enforcement of microchipping—taking people to court and dealing with them when they have animals that are not microchipped or when they have damaged the microchip to make it undetectable.

Helen Jones: My right hon. Friend makes a very good point. There are all sorts of things that we should do, because we say we are a nation of dog lovers, but what is happening out there actually shows that many people are not dog lovers at all—they abuse animals, whether unintentionally or through malice. Dogs are often abused through being kept in unsuitable conditions and not being given enough exercise. Others are abused deliberately to make them more likely to attack. We need to look at that.

I am unconvinced about whether we should have a list of prohibited breeds at all, and certainly about whether Staffordshire bull terriers should be on it. I look forward to the other contributions to the debate and to the Select Committee’s report, which I am sure will be of great use in deciding how we move forward, both to protect animals from abuse and to protect the public.

Neil Parish (Tiverton and Honiton) (Con): It is a pleasure to follow the hon. Member for Warrington North (Helen Jones), who put the case very well. The Environment, Food and Rural Affairs Committee is about to bring together our report, so I must be quite careful not to say exactly what I expect will be in it, but I will set out quite clearly the evidence that we have taken so far.

I want to start with my experience of three weeks ago, when I visited Battersea Dogs and Cats Home. I came across a crossbred dog that was of a pit bull variety. I went into the pen with it—the dog was of good temperament. It had come in as a stray and had to be investigated by the police to see whether it was part pit bull terrier. The police officer decided that it was and that dog was put down. I really was quite shocked by that.

I am a farmer and I believe that any animal that is vicious and cannot be put right should be put down, but not a dog of really good temperament. Deciding whether...
a dog has pit bull terrier in it is not an exact science: measurements are made of the length of its nose and its conformation. The Minister is also a farmer; he knows very well when animals are crossbred, sometimes they come out looking exactly like the parents and sometimes they look totally different. I found it shocking that the police officers went through the various measurements and worked out that there was pit bull in a dog, when the dog was of really good temperament. It should be up to Battersea to rehome that dog very carefully. While that dog is out on the street, it may well be given an exemption order to allow the owner to keep it, but the moment that dog comes in to a rescue centre, it has to be inspected and if it considered of a pit bull type, it must be put down irrespective of the dog’s temperament.

The issue is the deed not the breed. I believe that a dog of any breed in the hands of the wrong person can be made vicious by that person beating it, burning and doing all sorts of horrible things to make the dog vicious. Pit bull terriers and pit bull types account for about 20% of the total bites in the country, but a bigger percentage of them bite than do other breeds. Is the dog breed the problem, or do particular owners for particular reasons take those breeds on because they know they can be made to be dangerous and to bite?

I understand the Minister’s point of view. If we said, “Let’s abolish all breed-specific legislation,” the next time a pit bull or any of the other four banned breeds inflicted a really nasty bite, he would be rolled out on to the television and Radio 4 and asked, “Why did you do this, Minister?” Without second-guessing the Select Committee, I suspect we will recommend not total abolition of the breed-specific legislation, but an arrangement where the temperament of the dog can be given much greater consideration. In the Netherlands, for instance, dogs with good temperament can in certain circumstances be rehomed from rescue centres, provided that the new owners are made aware of the dog’s breed and the potential for danger. We can go somewhere with that. Also, there must also be a better way in the 21st century of deciding how much pit bull terrier or any other banned breed there is in a crossbred dog, whether through DNA testing or various measurements of weight and so on. The science is very inexact at the moment, which is also a problem.

Another problem for the Government is that if we are to have breed-specific legislation—I am fearful of mentioning this—we need to add breeds to the list, because other, equally vicious breeds are coming in from Canada and elsewhere as people try to get round the legislation. We need to look at all breeds of dogs and work out which are potentially dangerous and must be watched, and react to that.

I cannot stress enough the importance of the dog’s temperament. We need to come down even more heavily on people who are vicious to their dogs, who breed dogs to be dangerous and who take them out in the streets to be dangerous. It is not really the dogs who need to be sorted out; it is the people. Of course, for the postmen and others who have to go on to people’s properties, recent legislation that makes owners more liable for the actions of their dogs on their own property is very much a step forward and all good stuff.

The Minister will probably talk about microchipping. That is good, but again anyone who goes to Battersea will find that only about 30% of the dogs there have accurate microchips. A dog may have a microchip, but often what is on it is largely fictitious. That is another problem.

The Minister has a problem in that the law on breeding and dealing with dogs works only for the law-abiding. If we are not careful, we will make the laws stricter and stricter for those who microchip their dogs and rear and look after them properly, but those who want to be outside the law will still be outside the law. I suspect that the hon. Member for Belfast East (Gavin Robinson), who in his place, will talk about dog fighting, which has been a real problem in Northern Ireland.

There are all sorts of issues around dangerous dogs and there is a reason for breed-specific legislation, but a key requirement is much sounder science for working out breed, especially of crossbreeds. We must also be able to consider the temperament of the dog, and those of good temperament, irrespective of breed, should be allowed to live. Likewise—this is the other side of the argument—a thoroughly vicious dog of any breed should be put down. As 80% of all dog bites are from non-banned breeds, we could argue that by concentrating on breed-specific legislation, we are missing the real point. We should be bringing in antisocial behaviour orders, more penalties and five-year sentences for those who are cruel to animals. Let us get all that on the statute book and deal with the people out there who are making their animals vicious. Then, quite rightly, we will deal with vicious dogs when they appear.

I was a bit concerned when a Minister in the House of Lords suggested to the Select Committee that we were being soft on dangerous dogs. That is not our point of view. A dangerous dog needs to be dealt with. If its temperament cannot be changed it must be euthanased, but there must be a way for dogs with good temperament to survive and prosper, not be given a death sentence just because they are of a certain breed. That is where we can learn from countries across Europe. Even Scotland now has different laws in this area—the hon. Member for Kilmarnock and Loudoun (Alan Brown), the spokesman for the Scottish National party, is a good member of the Select Committee. We must all work together and look at what is happening across the United Kingdom, because we could do a lot better.

We may not have to repeal the legislation, but we must look at how it is enforced and administered. The police told us in evidence that they want some changes. There is a big responsibility on a police officer who has to work out whether a dog lives or dies, and often different officers will make different decisions because the science is inexact. One officer may say that a dog is perfectly fine and should live, but another will say that there is too much of a banned breed in it, and it must be put down. We must clarify the position.

This is not an easy situation, but at the moment I am very concerned. I do not want to go to Battersea Dogs Home again and see a dog of really good temperament being put down. That is absolutely wrong. We need to find a way to protect social workers, postmen and everyone who needs to go into people’s homes to work.

Helen Jones: Does the hon. Gentleman agree that one simple way to protect postal workers and others would be to ensure that those with dogs running free in their house have either an outside post box or a cage behind their letter box? Any dog can bite if it feels threatened.
Neil Parish: The hon. Lady makes a good point. The postal workers’ unions that gave evidence to the Committee talked about that—especially the cage behind the door. All of us in the Chamber who have canvassed and pushed letters through letter boxes will know that on reaching some doors it is possible to hear the dog barking, but the most terrifying dog is the one that waits behind the door without making a sound. The moment the leaflet is put through the door there is a tremendous whack, and the dog either bites the person’s fingers or gets the leaflet and tears it to shreds. That might be a bonus if it is one of my leaflets.

This is a serious issue, because postmen have to go to those houses. We are changing the rules on that. When dogs have bitten—hopefully before that—putting in a cage would protect the post. If dogs are protecting the property, but that makes it difficult for anyone to go there, there should be a letter box positioned outside the entrance, so that it is not necessary to go in. A dog is territorial and likes to protect its owner and their property, so when people enter that property it is one of the most difficult things for any dog—a collie or any other type. I have had to retreat from a number of farms using a dustbin lid to fend off the dog as I got out. I have then thrown the dustbin lid back in the garden, saying “By the way, you will find your dustbin lid in the garden, because I had to protect myself from the dog.” The dog might not be vicious, but it might still nip and protect the property.

We have to deal with all those things, and I digress a little. I wish the Minister well, and it is good that the petition is being debated, because there is a problem, but if we sit down and deal with it calmly we can sort it out. We need to do cross-party and cross-departmental work on it, with the Home Office as well as the Department for Environment, Food and Rural Affairs. Education is also relevant, as we need to educate children in school about animal welfare and explain to children and young people that, although there are families in which dogs might not be vicious, but it might still nip and protect the property.

I rise to defend the honour of Staffies and Staffordshire, as the House would expect—not as the owner of a dog but as someone who has had the great pleasure of encountering many wonderful dogs including many wonderful Staffies. As the petition says:

“It would be a terrible tragedy for the dog lovers of the UK to lose the right to own one of these great companions. We are calling on Parliament to save our staffies and not have them banned as dangerous dogs, because they are not. People create dangerous dogs, people are the problem.”

I entirely agree with those sentiments. I also speak on behalf of my fellow Staffordshire Members of Parliament, who could not be present for the debate—in particular my hon. Friend the Member for Cannock Chase (Amanda Milling), who has asked me to say some things for her. As might be expected, there are a substantial number of signatories to the petition from Staffordshire—and, indeed, from across the border in south Cheshire. For instance 400 people signed in Crewe and Nantwich and 270 signed in Congleton. There were 458 signatures from my constituency, and Newcastle-under-Lyme, the constituency where I live, came top with 485.

As can be imagined, the Staffie holds a special place in people’s hearts, and I want to say a few words about the mascot of the now disbanded—but hopefully to be reinstated in the future—Staffordshire Regiment. The mascot in question is called Watchman V. The mascot tradition in the regiments of south Staffordshire stretches back to the 19th century. In 1882 the South Staffordshire Regiment was ordered to march with Lord Wolseley to the relief of General Gordon, who was besieged in Khartoum. They entrained at Cairo with their Staffordshire bull terrier, Boxer. Unfortunately he leaped from the moving train and was seen lying unconscious or dead—or so they thought—at the side of the track. A few days later the regiment was encamped at Assiut, awaiting orders for the final phase of the march, when a thin and bedraggled dog staggered into the camp and collapsed. Boxer had walked more than 200 miles along the scorching desert railway track to rejoin his regiment—a true soldier.

From then on the tradition of having a Staffordshire bull terrier as a mascot continued with the South Staffordshire and North Staffordshire Regiments and eventually the combined battalions of the Staffordshire Regiment. Watchman V continues his duties today as part of the Staffordshire Regimental Association, holding the rank of colour sergeant. In 2016 Staffordshire MPs as a group entered Colour Sergeant Watchman V in the Westminster Dog of the Year competition. I am glad to say he overwhelmingly won the public vote, so as you can see, Mr Walker, his is a popular breed. Watchman visits schools to teach children about safe interaction with dogs. There is a campaign at the moment to build a life-size bronze statue of him in Tamworth, as a tribute to the mascots, the handlers over the years, and the Staffordshire regimental family.

A positive view of Staffies is widely held. The animal welfare sector, including the Kennel Club, the Royal Society for the Prevention of Cruelty to Animals, the Dogs Trust and Blue Cross, is united in its view that Staffordshire bull terriers should not be added to the existing list of banned breeds under the Dangerous Dogs Act 1991. My hon. Friend the Member for Tiverton and Honiton, the Chairman of the Select Committee, has expounded in detail and extremely wisely what should be done. The Committee is considering the matter at the moment, so I will not go into detail about it, but I believe we need to deal with dangerous dogs effectively and sensibly—not, from now on, in a breed-specific way such as the proposal to put Staffies on the list of dangerous dogs.

The law was reformed under the coalition Government and, rightly in my view, greater emphasis was put on tackling irresponsible dog ownership. The truth is, as many have said, that dogs of any breed can become dangerous if they are not trained, or if they are put in the wrong hands. Owners are responsible for their dogs’ behaviour. Vilifying an entire breed goes against scientific evidence and is not good policy, so I am delighted by the clarity of the Government statement. It is great to see such a brief Government statement. It says they have no intention of prohibiting the keeping of Staffordshire bull terriers. Would that all Government policy could be as clear and brief as that.
As my hon. Friend the Member for Tiverton and Honiton has said, the Dogs Trust has concerns about breed-specific legislation in general. He also said that a number of countries, including the Netherlands, have moved away from that approach. I believe that DEFRA is currently reviewing the issue and I look forward to seeing the conclusions. It would be a terrible tragedy for the dog-lovers of the UK to lose the right to own one of the great companions we have been talking about. I am delighted that the Government have no intention of bringing that about. It has been an honour to speak in the debate on behalf of Staffies.

5.8 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship, Mr Walker. I pay tribute to the hon. Member for Warrington North (Helen Jones), who led the debate so well on behalf of the Petitions Committee. She said that she is no expert, but she put forward good arguments. As hon. Members will find out, I am no expert on the subject either, but I am a member of the Select Committee on Environment, Food and Rural Affairs, which is considering the relevant legislation, which is why I have been given the pleasure of summing up for the Scottish National party.

In a way it is strange to be having this debate about a petition against a suggestion from an animal rights organisation. People are so concerned about the suggestion that they are getting their retaliation in first by launching this petition. Usually, petitions are launched because of Government intentions or something the Government have already done, so it is certainly unusual that it is not the Government getting a bashing today.

I am a member of the Environment, Food and Rural Affairs Committee and it sums up this place for me that—as the Chair of the Committee, the hon. Member for Tiverton and Honiton (Neil Parish), has said—we have already had a Minister in front of the Committee to discuss the existing legislation, but that Minister is a Lord in the other place, and therefore we have another Government Minister here to respond to the petition, rather than the Minister who is responsible for the legislation itself. It seems a bit outdated, to say the least.

Turning to the contributions, we heard first from the hon. Member for Warrington North. She started off talking about dangerous dogs and her experience of being bitten twice while out leafleting or canvassing. I share her experience because I have had the same thing. As the Chair of the Select Committee said, the problem is the silent dog that lies in wait and manages to pounce way, way higher than anyone would ever expect a wee dog to be able to pounce. It was amazing how quickly I moved my finger, even though it was too late. I also discovered that trying to soldier on and do further leafleting was a bit of a lost cause when I was dripping blood on to the next door that I went to and on to the leaflets. I thought, “That’s no way to win votes,” so unfortunately I had to give up that day.

The hon. Member for Warrington North is also right about what happened in 1991. There were some high-profile cases and the media demanded some action, which resulted in rushed and flawed legislation. That legislation is still on the statute books, and it should certainly be reviewed. She said that from her perspective there are two questions that we must address: whether breed-specific legislation is the correct tool and, if so, whether Staffordshire dogs should be added to that. However, running through her contribution and those of others was the idea that it is not necessarily the dogs themselves but irresponsible owners who need to be tackled.

The Chair of the Select Committee said that he would not give away any preview of what will be in the Committee’s report, but it might have saved me a bit of work if he had done that. He highlighted the harrowing visit to Battersea Dogs & Cats Home, which illustrated to him the risks of breed-specific legislation and how it is interpreted, and the fact that dogs with good temperaments are being put down. That is inhumane, it makes no sense and it is illogical, and it underlines the flaws in the breed-specific legislation.

The hon. Gentleman gave an interesting statistic that, while 20% of bites can be attributed to terrier-type dogs, they make up a greater percentage of the dog population. That in itself shows that other considerations apply. He said that we need to look at the matter in the round, which I would suggest is a hint of what might end up in the report, because looking at it in the round would suggest to me perhaps having a risk register rather than breed-specific legislation that completely outlaws breeds. I may be wrong, but that is certainly something I am thinking about. He also highlighted the important issue that not all dogs are microchipped and the information in the microchips may not be valid; that is also something we need to look at to ensure that it is done correctly.

In a light-hearted anecdote, the hon. Gentleman also finished with a story about visiting a number of farms where he had to retreat using dustbin lids to fend off dogs. It reminded me of the Billy Connolly joke that what tigers fear most in the world is chairs, because that was what was used to control them in circuses of old. With recycling and the fact that our bins have changed, I worry a lot about how the hon. Gentleman will now arm himself against dogs; I am sure that a wheelie bin is awkward to wheel at speed.

We heard from the hon. Member for Stafford (Jeremy Lefroy) who, not surprisingly, defended the honour of Staffordshire terriers, as the right hon. Member for Warley (John Spellar) also did. It was interesting to hear how the Staffordshire dog came to be the mascot of the Staffordshire regiment. I noted the hopes of the hon. Member for Stafford that the currently disband regiment would be reformed in the future. Unfortunately, given the cuts we have seen to the armed services, I think that is a forlorn hope, but I wish him well in lobbying the Government on that.

Importantly, the hon. Gentleman also highlighted the fact that the RSPCA, the Kennel Club, Dogs Trust and Blue Cross are against Staffordshire terriers being added to breed-specific legislation. Given the quality of the work those organisations do and their reputations, it is important that we listen to them, and their views underlie the case. He concluded by saying that we should not vilify an entire breed.

Andrew Rosindell (Romford) (Con): I apologise that I was not here for the start of the debate. I was chairing a Delegated Legislation Committee. I have owned two Staffordshire bull terriers—in fact, I have had Staffordshire bull terriers for 25 years of my life—and they are the most amazing, gentle dogs. The very suggestion that...
they should be added to the flawed Dangerous Dogs Act—which should never have been brought in in the first place and which, in my view, has had no effect in making things safer for people in this country—is extremely foolhardy. Does the hon. Gentleman agree that legislation on animal welfare and the safety of the public regarding dogs should be based on dealing with the deed, the action or the use of the dog by irresponsible owners, not on picking on Staffordshire bull terriers, or for that matter any other breed?

**Alan Brown:** I wholeheartedly agree with the hon. Gentleman’s sentiments. As he said, he has had Staffordshire bull terriers for 25 years. Loving, caring dog owners create loving dogs. That is how it is. Dangerous dogs are created by irresponsible owners, sometimes through neglect and sometimes through wilful behavioural training to create a dangerous dog, which is alarming in itself. We need to tackle those people, rather than worrying about specific dog breeds.

I will touch briefly on some of the evidence I picked up on in the Select Committee inquiry. This might or might not find its way into the report, and I might be at odds with other Committee members, but it seemed to me that the police have said that they are open to changes to breed-specific legislation. They say that other measures are needed to allow controls to be put in place and allow people to tackle dangerous dogs, but they are certainly receptive to changes to BSL.

There needs to be greater information-sharing between various local authorities and individual police forces across England and Wales, so that anyone who is banned from owning dogs because they have had dangerous dogs is tracked if they move from one area to another. That is something that needs to be looked at. Resources for local authorities seem to be an issue, and in some cases, a clearer understanding is needed between the police and the relevant local authority as to who has most responsibility for enforcing the legislation on dangerous dogs.

As the Chair of the Select Committee said, the Scottish Government have introduced additional legislation in Scotland, the Control of Dogs (Scotland) Act 2010, which touches on the general theme of this debate—looking at deeds rather than individual dogs. That Act was, “designed to highlight the responsibilities of dog owners by putting in place a regime that will identify ‘out of control’ dogs at an early juncture”.

It includes measures to try to change the behaviour of these dogs and, of course, their owners, because owners need to be able to train their dogs and implement the change before the dogs become dangerous. It is about early intervention. That buzz phrase is used quite a lot in politics, but it is clearly important in ensuring the welfare of dogs. The 2010 Act also created a dog control notice regime that permits officers—appointed and authorised by the local authority—to issue dog control notices to irresponsible owners of any dog found to have been out of control, while also setting out what “out of control” means.

The general theme of the debate has definitely been about tackling owners, rather than vilifying individual breeds. There is certainly a case for looking at the existing legislation and bringing forward improvements. I look forward to the Minister’s response.

**Sue Hayman** (Workington) (Lab): It is a pleasure to serve under your chairmanship, Mr Walker. I thank my hon. Friend the Member for Warrington North (Helen Jones) for introducing the debate. There has not been a huge number of speakers, but those who have spoken feel strongly about this issue. It has been an excellent debate, with some really good information shared.

The hon. Member for Tiverton and Honiton (Neil Parish), who chairs the Environment, Food and Rural Affairs Committee, was particularly interesting and well informed. I was pleased by a lot of what he said, because I started to become interested in this topic on a visit similar to the one he described. I was also particularly interested by what the hon. Member for Stafford (Jeremy Lefroy) said about the regimental mascot, which I was not aware of. I wish him all the luck in the world in getting a statue in place. That would be a fantastic tribute.

I was interested to hear what the hon. Member for Kilmarnock and Loudoun (Alan Brown)—I remember his constituency—said about the 2010 Act. I was not aware of it, so I will be interested to take a look at it. I was also interested to hear his idea of using a dustbin lid, rather than a dustbin lid, to fend off dogs. When I go canvassing, I fill my pockets with dog biscuits, which I find can be very useful.

I would like to talk about an experience I had that was similar to the one the hon. Member for Tiverton and Honiton had. I launched Labour’s animal welfare plan in February from the RSPCA’s Harmsworth Hospital, in north London. As part of that visit I was introduced to a lovely dog, Bailey, who had a great temperamental. The hospital staff and I believed that he could have been rehomed, but because he had been typed as a pit bull, that, sadly, could not happen, and, tragically, he was put to sleep the week after my visit. I told the staff that I would take him because he was such a lovely dog, although I did not tell my husband. I was deeply shocked that this dog, which had never done any harm to anybody, was to be put down because of what he looked like.

**Neil Parish:** The shadow Minister makes a very good point: the dog had done no harm. It was of good temper and did not have a record of biting people. In this country, we are usually considered innocent until proven guilty, whereas these dogs are considered guilty because they are of a particular breed, and they are then put down, irrespective of temperament. That is exactly the point.

**Sue Hayman:** That is exactly the point: the dogs are found guilty before having done anything wrong. We have heard that people can secure exemptions from the law in court. However, I said that I would take that dog, that I was a dog owner and that I had always had dogs, so those exemptions are clearly not in place for dogs in rescue centres. Many dogs are being put down entirely unnecessarily.

We heard that we have to ensure that legislation to keep people safe from dangerous dogs has to jointly prioritise public safety and animal welfare. We need to be a lot more pragmatic when it comes to banning certain dogs based only on their breed. As has been said, all dogs can bite and all dogs can be dangerous in...
the wrong hands, regardless of breed or type or whether they happen to look a certain way. It is therefore clear to me, and to the many animal welfare charities quoted, that any action to tackle dog bites and all other instances of canine aggression must focus on the deed, not the breed.

Gavin Robinson (Belfast East) (DUP): The hon. Lady makes entirely the right point. When I was the Lord Mayor of Belfast, there was the case of a dog called Lennox, which hon. Members can look up online. It led to 200,000 complaints to the council, death threats to council officers and ammunition technical officers defusing a suspect device in city hall. Lennox was lifted because of his breed and appearance; his temperament was absolutely fine. Having been moved from secret location to secret location during two years of detention, Lennox developed behavioural issues that ultimately led to his destruction. There is a role for councils and those involved in looking after the welfare of dogs, but they should not do anything of detriment to family dogs with otherwise perfectly good temperaments.

Sue Hayman: The hon. Gentleman makes an extremely important point. We absolutely have to remember that it is often how we treat an animal that creates certain behaviours.

The RSPCA tells me that, year on year, Staffordshire bull terriers are the one breed that ends up in its centres most often, through no fault of their own. They can often be overlooked because of the preconceptions many people have about them, which, in the overwhelming majority of cases, are simply wrong. As we have heard, Staffies can make great pets, with the more than 150,000 signatures to the petition demonstrating how strongly Staffordshire owners feel. Like any dog, with the right owner, they make great pets.

In evidence to the Environment, Food and Rural Affairs Committee’s ongoing inquiry into dangerous dog legislation, the RSPCA said that it believes breed-specific legislation—BSL—is ineffective in terms of public safety and results in the unnecessary suffering and euthanasia of many dogs. It says that BSL should be repealed, and issues around human safety tackled using education and effective legislative measures that do not unnecessarily compromise dog welfare.

The RSPCA goes on to say that BSL fails to deliver what it was designed to do. It has not reduced hospital admissions from dog bites, as we heard from my hon. Friend the Member for Warrington North. It has not improved public safety, and it has not reduced the numbers of dogs of the breeds or types it legislates against. The RSPCA wants dog control legislation reformed such that BSL is repealed and replaced, education is put in place to ensure that high-risk behaviour towards dogs is avoided, and all severe and fatal dog bite incidents are properly investigated.

Just before Easter, I was lucky enough to visit Battersea Dogs & Cats Home, and I again met an abandoned dog that was about to be put down after being typed. Staff had exactly the same concerns that we have already heard about. I also visited another rescue centre—Oak Tree, near my constituency, in Cumbria—and found the same situation again. This is not unusual; every time I visit a rescue centre, I am presented with exactly the same situation. Battersea Dogs & Cats Home believes that the Dangerous Dogs Act is ineffective at protecting the public, because, as we have heard, there has been no appreciable reduction in dog attacks since it was passed.

Andrew Rosindell: I am pleased to hear the hon. Lady say that. She is coming at this from exactly the right angle. The Dangerous Dogs Act was brought in in 1991 and was a knee-jerk reaction. It has never been effective and has always been completely flawed. There should surely be cross-party consensus to review this legislation so that we have an effective law that protects the public and is not cruel to animals—that have committed no crime and have never bitten anybody—because of their appearance or breed. As the shadow Minister for animal welfare prior to the 2010 general election, I championed reviewing the legislation; sadly, this Government have not yet looked at it properly and dealt with it. Will the hon. Lady work with the Minister to try to find a consensus? The current legislation has to be reviewed and changed.

Sue Hayman: I thank the hon. Gentleman for that intervention. I would be happy to work with anyone to improve the legislation, because this is about animal welfare and treating dogs fairly, but also about protecting people. At the moment, the legislation does not work for either of those.

Battersea argues for the abolition or, at the very least, reformation of BSL. It calls it a sticking plaster that does not prevent public harm, and it wants the Government to amend the legislation to ensure that dogs are not put down simply because of their appearance.

It is also right that proper education and community engagement processes should be in place to help the public better understand dog behaviour and to encourage responsible ownership. I am a pet owner—I have a dog, a cat and all sorts—and being a pet owner is so rewarding, but people need to understand, particularly when taking on a dog, that it is a huge responsibility. People need to be better educated when they buy their dogs in the first place. It is clear that, in the wrong hands, any dog has the potential to injure either people or other animals. I have a Labrador, and when I was researching this issue, I was horrified to find out that many Labradors carry out attacks. My dog is so soft that I cannot imagine that it would do that. It just shows that, in the wrong hands, any dog can be dangerous.

To sum up, we need to ensure that we focus on ownership rather than on a particular breed or type of dog. I say to the Minister that it is really important that the legislation has a proper, thorough review. It would be good if that were carried out by DEFRA and we could have some timescales as to when he will be able to look into this issue, because it seems to me, from this debate and from discussion further afield, that there is a pretty broad consensus that what we have on the statute book at the moment simply is not working to protect either people or dogs.

I am very pleased that the Government, in their response to the petition, have said that they have no plans to ban Staffies. I look forward with interest to the EFRA Committee’s report and hope that the Minister will pay close attention to its recommendations.

I shall finish with a plea to the Minister from dog owners everywhere. Let us get the legislation right to protect both the public and dogs. We need the right
education to be in place, and we need to focus on how we can effectively tackle irresponsible dog owners, not just the dogs themselves.

5.32 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): It is a pleasure to serve under your chairmanship, Mr Walker. I congratulate the hon. Member for Warrington North (Helen Jones) on the way she introduced the debate. The petition has attracted more than 160,000 signatures, which shows how strongly people feel about this issue. I understand that the petition was a reaction to a submission made by PETA to the ongoing inquiry on dangerous dogs by the EFRA Committee. Today, we have heard a number of quite powerful and detailed speeches, including from my hon. Friend the Member for Stafford (Jeremy Lefroy), who, appropriately, stood up for this breed, which hails from his part of the world. I, too, was very interested to hear the history of the Staffordshire bull terrier as a mascot for the Staffordshire Regiment and the fascinating story of the genesis of that.

I am sure that all hon. Members, including my hon. Friend the Member for Stafford and my hon. Friend the Member for Romford (Andrew Rosindell), who also gave a personal account of his love of this breed, will be pleased to know that the Government have no plans at all to add Staffordshire bull terriers, or any other type of dog, to the list of prohibited dogs. Staffordshire bull terriers are a popular breed in this country and have shown themselves to be a good family pet. Like any dog, they should be socialised at an early age and be properly trained to avoid behavioural problems, but for anyone thinking of taking on a dog, there is no reason why a Staffordshire bull terrier should not be considered. My noble Friend Lord Gardiner, who leads on this policy area, has given evidence to the EFRA Committee and confirmed that there is no intention to add further types of dog to the prohibited list.

The hon. Member for Kilmarnock and Loudoun (Alan Brown) suggested that it was disappointing that I am responding to the debate by virtue of the fact that the Minister responsible is a Lords Minister, but let me reassure him that I have been around DEFRA long enough to have had to go in to bat on most issues—indeed, I was the Minister responsible for companion animals and looked closely at this issue for about two years, and I will return to that point.

It should be noted that the Dangerous Dogs Act 1991 is not just about banned breeds. Section 3 makes it an offence to allow any dog to be dangerously out of control. That is the case for all dogs, regardless of breed or type. There are also other preventive measures, which I will mention later, that are applicable to all types of dog.

As the hon. Member for Warrington North and others pointed out, the genesis of the 1991 Act was as a reaction to a series of serious dog attacks at that time. The Act prohibits four types of fighting dog—types traditionally used for dog fighting—and those are the pit bull terrier, Japanese Tosa, Dogo Argentino and Fila Brasileiro. Of the four types, the pit bull terrier was by far the most popular. Indeed, pit bulls had been associated with a number of serious attacks on people, and it was decided to take action against their ownership. The other three types of dog were added primarily because it was considered that, having been identified as either fighting types or as sharing the characteristics of fighting dogs, they should be prohibited to prevent people from turning to them instead of the pit bull terrier. However, I am told that we have very few of the other three types in this country and none of the Fila Brasileiro type.

Adding dogs to the list of prohibited types would need to be done on the basis of proportionate risk of harm to people. Under the Act, it is an offence to breed from, sell or exchange the four breeds of dog. That approach is supported by the police. It should be noted—perhaps not enough people are aware of this—that the courts can already allow owners to keep prohibited dogs if they are not a danger to public safety. Account must be taken of the dog’s temperament and whether the intended keeper, who must have had substantial prior responsibility for the dog, is a fit and proper person, with premises suitable for the dog.

Those dogs are placed on the index of exempted dogs, which is managed by DEFRA. Currently, about 3,100 dogs are on the exempt list. They are predominantly pit bull terriers, but there are also about 10 Japanese Tosas and three of the Dogo Argentino type. For a dog to go on the index, certain conditions have to be met. The dog must be neutered. The owner has to maintain annual insurance against their dog injuring third parties. The owner has to pay an initial fee of £92.40. Dogs on the list also have to be microchipped, muzzled and on a lead in public, and they must be in the charge of someone who is at least 16 years old.

It should be noted that, when the provisions were initially brought forward in 1991, they were largely considered to be transitional arrangements. The idea was that dogs that existed in 1991 could remain on the exempt list for the rest of their lives, but those of us who are familiar with dogs and the lifespan of a typical dog will be aware that none of the dogs on the list today was alive in 1991; they are exclusively dogs that have been born since. The Government have chosen to keep that option as a way of managing this situation and enabling people to remain with their dog where it is appropriate to do so and where the courts judge that it is safe to do so.

As I said, in addition to the restrictions on certain fighting dogs, it is an offence under section 3 of the Act to allow any dog to be dangerously out of control. There are severe penalties for allowing a dog to be dangerously out of control; indeed, we increased the penalties in 2014 to three years for allowing a dog to attack an assistance dog, five years if a dog injures someone and 14 years if a dog kills someone.

A number of hon. Members have talked about “deed not breed”. I am well aware of that campaign, which is being run by a number of animal welfare charities. I understand the superficial attraction of that approach, but let me talk about the evidence that supports the Government’s position. We consider the prohibition on the four banned breeds to be a valuable tool in the battle against irresponsible ownership of dogs.

The prohibition on the pit bull terrier is supported by the Metropolitan police’s own figures, which show that in 2015-16, over 19% of dogs involved in reported attacks were pit bulls. That is quite extraordinary, given that this is a banned and illegal breed. Despite that fact and despite the fact that dogs on the exempt list must be muzzled in public, that breed still accounts for almost
20% of all reported attacks. We know also that pit bulls have been involved in seven of the 31 fatal attacks that have occurred since 2005. That is highly disproportionate for one type of dog that is banned, and it underlines the need to be cautious about change in this area. My hon. Friend the Member for Tiverton and Honiton (Neil Parish) acknowledged that, saying that to remove the restrictions would be a difficult decision for any Minister to take, knowing that, even with the ban, this breed of dog is responsible for so many attacks and that a subsequent increase in attacks may be inevitable. The issue is not just the reputational damage that a Minister might suffer, but that they would have to carry on their conscience attacks, injuries and deaths that might have been avoidable had a more cautious approach been taken.

George Eustice: The Minister is making a good point, but is there a direct correlation between the attacks he outlined and dogs that are on the register? My fear is that the irresponsible owners of dogs that carry out attacks are not complying with the law, not muzzling their dog in public, and not part of an official register. They are outside the law and the deterrents are simply not strong enough.

George Eustice: That is why we need robust sentencing and actual deterrence. A notorious family in my constituency of East Belfast has been before the courts on a number of occasions and convicted of dog fighting. The Chair of the Environment, Food and Rural Affairs Committee referred to this. They were convicted of dog fighting, badger baiting, stealing domestic cats to blood their dogs, having treadmills to train and strengthen their dogs, and using their dogs against live badgers, foxes and deer, to train them. All four members of the family were convicted and received a suspended sentence.

George Eustice: I very much agree with the hon. Gentleman. It is because of atrocious cases of the sort that he has described that I have always wanted the maximum sentence for the most egregious cruelty to animals to be raised. It is now Government policy to increase the maximum penalty to five years. We have always had in mind that activities such as dog fighting would be one of the key targets for that maximum penalty.

My hon. Friend the Member for Tiverton and Honiton and others talked about Battersea Dogs & Cats Home. Back in 2011—long before my hon. Friend’s recent visit—I went there with him as a member of the Environment, Food and Rural Affairs Committee. There was a similar case of a pit bull that had to be destroyed when the officers at Battersea thought that that animal could have been rehomed. I visited Battersea again about three years ago, when I held this portfolio, to discuss the matter with them. From memory, about 27 pit bulls had come in that year, all of which had to be destroyed under the current legislation, and more than 300 other dogs had come in, a significant proportion of which were judged to be not suitable for rehoming and also had to be destroyed. Given what we know about the breed, how often would a charity actually have the confidence to rehome a pit bull with a family? My hon. Friend said the science is not precise, and there is some truth in that, but there are police officers who are trained in typing, have expertise in this area and are actually quite good at ascertaining when a dog is a banned breed, particularly when it is a pit bull.

This is not the only area where we have what one might call breed-specific legislation. In the provisions around public rights of way, there are restrictions on farmers from having dairy breeds of cattle on a footpath at certain times of the year, because dairy breeds are judged to be more aggressive and more likely to attack people than beef breeds. We know that there is a link between the behaviour and temperament of cattle and breed. In my part of the world, we have breeds such as the South Devon, which is a very laid-back, west country breed, which is calm and docile. In Scotland, they have the Aberdeen Angus, which is a slightly more feisty animal. On the continent, there are some more unpredictable breeds.

There are other powers available to the police and local authorities to deal with this issue; the Dangerous Dogs Act is not the only resort. Both have the power to tackle antisocial behaviour with dogs and to intervene early to prevent a minor incident escalating into something more serious. For example, the Anti-social Behaviour, Crime and Policing Act 2014 introduced a range of measures to tackle antisocial behaviour, including that which involves dogs. This includes community protection notices, which aim to prevent unreasonable behaviour that is having a negative impact on the quality of life of the local community. These are being used to good effect by police and local authorities across England and Wales.

Paul Girvan (South Antrim) (DUP): Many people report incidents, thinking they are acting in the best interest. The reaction, therefore, will be that a police officer or a council official will be asked to go along and lift a dog from a family home, because it has been identified as being a Staffordshire bull terrier. It might only be a very good family pet, but if some well-meaning individual in the community decides to do that, an officer will have to go in and identify whether it is a Staffordshire bull terrier. We have had the same legislation in Northern Ireland associated with American pit bulls and we have had all sorts of problems identifying what breed a dog is. I am a great believer in deed not breed. We should stop hounding those who have good pets that are not creating a problem, but deal with the ones that do.

George Eustice: To reiterate what I said earlier, the Government have no plans at all to add the Staffordshire bull terrier to the prohibited list. We have been clear about that in response to the e-petition. We have trained police officers who are skilled in identifying the breed and type of dogs, in particular the pit bull terrier, which is the main banned breed that we are concerned with.
In addition to the community protection notices, many forces use non-statutory letters and notices. Those can come in the form of “coming to notice” warning letters and voluntary acceptable behaviour contracts. The notices are simple to use and remove the need for a statutory notice or prosecution. The Government are also committed to public safety and to tackling dangerous dogs through communication and education. Co-operation between the police and local authorities is vital. That is why we have endorsed initiatives such as LEAD—the local environmental awareness on dogs scheme—which encourages the police and local authorities to co-operate and share information when there has been a minor incident, and to provide advice to the dog owner on dog control issues to improve public safety. We also support an increase in awareness at all levels of society, as the hon. Member for Workington (Sue Hayman) highlighted. We are aware that many police forces and welfare charities, such as the Dogs Trust, visit schools to help to raise awareness of responsible dog ownership, and we fully endorse that work.

As several hon. Members pointed out, we need to do more to ensure that dogs are properly socialised, whatever their breed. We have done a lot to tackle the online trading of dogs through our work with the pet advertising advisory group. Dogs that are advertised and sold online have often not been socialised or raised properly. We have also introduced new requirements on pet breeding, particularly dog breeding, and on the sale of dogs to tighten up the licensing regime for people who breed and sell puppies as pets.

We have had a good and thoughtful debate on this contentious issue. I do not pretend that the legislation is perfect, and I understand that some people consider elements of it arbitrary, but for the reasons that I have given, the Government do not believe there is a case for changing the legislation at this time. We believe that we can deal with some of those exceptional circumstances through the exempted index.

Andrew Rosindell: I thank the Minister for the assurance that Staffordshire bull terriers will not be added to that list, which will come as a great relief to Staffordshire bull terrier owners across the country. People like me who have owned Staffords know that they are fantastic, great British dogs that are not a danger to the general public.

The Minister says that he does not intend to change the legislation, but will he at least consider reviewing it to create a cross-party discussion about how we can move forward? The legislation is flawed, and if the Government say that it will never change, that will condemn many innocent dogs to death unnecessarily for a long time to come, which would be wrong.

George Eustice: I had thought we were going to finish on a note of consensus. We can all agree that the Staffordshire bull terrier should not be put on the banned list. The Government have been clear about that.

On my hon. Friend’s final point, the Government are not persuaded at the moment that there is a case for change. I discuss the issue regularly with Lord Gardiner and, as I said, it is complex. We recognise some of the arguments against the current provisions, but we also recognise the risks of deviating from the rules and laws that we have in place.

Helen Jones: I thank all hon. Members who have spoken, particularly the hon. Member for Stafford (Jeremy Lefroy) and my right hon. Friend the Member for Warley (John Spellar) for their sterling defence of Staffordshire bull terriers. The Chair of the Select Committee, the hon. Member for Tiverton and Honiton (Neil Parish), also made an interesting contribution.

I thank the Minister for giving one of the clearest answers to a petition so far. We often have to send them back because they are not clear. His speech today was also very balanced in highlighting the need to get the legislation right and to protect people from attacks by dogs, and for that I am extremely grateful.

Question put and agreed to.

Resolved,

That this House has considered e-petition 222419 relating to including Staffordshire Bull Terriers in the Dangerous Dogs Act 1991.

5.53 pm

Sitting adjourned.
Douglas Ross (Moray) (Con): I beg to move, That this House has considered Government policy on visas for non-EEA workers on inshore fishing vessels.

It is a pleasure to serve under your chairmanship, Mr Betts. This is an important issue in my constituency and in other parts of Scotland and the UK. Last Wednesday, the right hon. Member for Orkney and Shetland (Mr Carmichael) led an Adjournment debate on this very issue, but it is important that Members across the House have another opportunity to express their views and opinions.

I am grateful to the Security Minister for responding; to use a fishing term, this has been landed on him because the Immigration Minister is in Cabinet today. I know he will respond on her behalf and I am sure that she will look closely at the points put forward by right hon. and hon. Members. I thank the Scottish White Fish Producers Association, the Fishermen’s Welfare Alliance and the many others who produced briefings for this debate. Given its importance to the industry, many wanted to engage with Members before the debate.

Let me give some background on my own interest. Although this is a big issue on the west coast, the western isles of Orkney and Shetland, and Northern Ireland, it is also an issue in Moray, although perhaps not on such a large scale as in other parts of Scotland. Back in March, I was approached by three fishermen: Douglas Scott from Lossiemouth, Neil Sutherland from Burghead and John Davidson. They visited me in my Forres constituency office in the same week the Government announced their initial findings with the European Union on a future fisheries policy. I assumed that they, like me, were unhappy with what the Government had come up with in Europe and were pushing to put across their views and opinions.

Unfortunately, there are some examples of the system that we have been discussing. We all remember the extremely successful concession scheme that operated from 2010 to 2012. That is basically what I am calling for: the Government should reintroduce that successful scheme, which worked successfully from 2010 to 2012, in which non-EEA workers were able to work within the 12-mile limit. We should dwell on the 12-mile limit for a moment: why do we make that division? Fishermen can fish 12.1 miles from the shore for unlimited amounts of time and are able to recruit non-EEA workers, yet at 11.9 miles or 12 miles they cannot. Mr Scott, who is currently fishing for squid off Shetland but fishes for many other species throughout the year, is not able to recruit these workers because he fishes within the 12-mile limit.

This Government rightly have concerns about immigration and have targets to ensure that it does not increase too much, but this is not a sector that would cause significant problems to immigration numbers. The catching sector employs 4,000 people across the country, 800 of whom are non-EEA workers and 400 of whom are from the EEA—we are speaking about a small number of workers. Should the Government introduce the concessions that I am asking for, the numbers would not significantly alter the migration and immigration figures that they rightly look at when they determine their future policy.

The Government were right back in 2010 and 2012 to have concerns about the welfare of these workers; unfortunately, there were some instances where the welfare of workers was not as good as it should have been. A briefing from the Fishermen’s Mission for this debate cited a small number of examples about the conduct of employers towards their Filipino or other non-EEA workers that are not good enough. One received only four hours’ sleep in 96 hours and had been forced to sign what was reported to be a contract of employment that stipulated that he had to work here. As I said, people want to work on our boats and inshore fishing vessels.

I met Douglas Scott again on Friday in Lossiemouth, just as he was about to head up to Shetland to go fishing. He made it clear when he met me in March and again this week that unless the Government do something about this situation, there is a real risk to the people who are going out on those boats: they are not crewed in sufficient numbers to ensure that everyone is safe. Indeed, some boats cannot leave the harbour at all. Douglas was unwell for some time and because he had no crew, his boat lay idle in Lossiemouth harbour, not making an income for him and leaving the waters unfished.

This is a hugely important issue for Douglas Scott and so many others. The solution is quite simple, and I will come on to it. Douglas is now a little better and is able to go out on his boat on his own. When I left him on Friday, he was going to spend 24 hours on his own in his boat, steaming up to Shetland—port to port from Lossiemouth to Lerwick takes 24 hours. When he gets up there, he has to go back out almost immediately to start fishing, to start making some money, all on his own. It is a real safety concern if an individual who has not been well recently has to go out single-crewed because he cannot recruit non-EEA workers—who want to work with him: they are calling him on a weekly basis, pleading him to employ them again—because of visa changes and the problems being experienced with visas in this country.

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Unfortunately, there are some examples of the system letting down the non-EEA workers, but I and other right and hon. Members have received representations that reintroducing the scheme with a strong emphasis on the welfare of the non-EEA workers will improve their terms and conditions, rather than reduce them. We could have a better system—not just for the fishing industry and the skippers, but for the people who come to work here. As I said, people want to work on our boats in Scotland, Northern Ireland and around the coast of the United Kingdom. If we reintroduce the scheme properly, we can meet not only the needs of the industry but the welfare aspirations of those who will work in it.

Let me now look at the skills required for the job. In an ideal world, we would have enough people in the local communities to do all these jobs—people born and bred in the local community who want to go to sea. That happened in the past, but unfortunately, as with
many other industries, it has dwindled. It may come back again and we all hope it does. To reference another fishing saying, there is a sea of opportunity from this country’s leaving the European Union and the hated common fisheries policy. We will regain control of our fishing waters and fisheries and will be able to ensure that that sea of opportunity allows us to increase the number of local people employed in the industry.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Gentleman on securing the debate. On skills, does he agree that the topic he has wisely chosen for debate is a perfect example of what we hear discussed quite often in the immigration debate—that we should decide what type, what quantity and what skills we need to try to help our industries here in the United Kingdom?

Douglas Ross: I absolutely agree with the hon. Gentleman and I will come on to that point. Skills are important. If a local workforce has those skills, that is great and we want to encourage it. Indeed, the Scottish White Fish Producers Association said in its briefing that this year has been its best year for recruitment, with 30 new people coming from local communities, doing their courses and ready to go out on to fishing boats.

But 30 is not enough to ensure all our boats are properly manned as we get ready to leave the common fisheries policy and the European Union—and, hopefully, to fish far more in our waters with more of our boats. The association believes it will take 10 to 15 years to have enough local employment to be able to fully crew the boats. In that period, we can either decide to do nothing and let the boats lie idle and go out of commission, or we can do something about it. As I said, there was a successful scheme that worked for two years between 2010 and 2012, which we can use in this country.

I want to spend a bit more time talking about skills because fishing has been deemed an unskilled form of occupation. I take great exception to that: I could not leave this place, go immediately on to a boat for several days and successfully deal with catching and processing fish. That is a skill in itself, and we should recognise it as such. As the hon. Member for East Londonderry (Mr Campbell) said, it is a skill we need and one we should be looking for.

After Mr Scott, Mr Sutherland and Mr Davidson visited me in March, I wrote to the chief executive of UK Visas and Immigration about what they had raised with me as well as the skill level of our fishermen and those we are trying to encourage into the industry. I said, “I invite you to spend a day on a fishing boat in Moray to see for yourself the skills involved in the profession,” and was disappointed when the reply came with no answer to that point. Interestingly, the chief executive decided to ignore my invitation—I cannot believe anyone would ignore a kind invitation to come to Moray, let alone one that included a trip on a fishing boat. The reply did say, “We do not consider such workers to be unskilled, but they are not sufficiently skilled to meet the skills threshold for authorisation or permission to work under tier 2 of the points-based system, which is reserved for graduate-level employment.”

I say as a member of the Home Affairs Committee that we must look at that skill level and how we determine skills. I will be careful in my use of quotations, because David Goodhart, who I quoted at last week’s meeting of the Committee when we were questioning the Home Secretary, took great exception to my confusing his words. I paraphrased him in saying—these are not his words—that he believed that some industries where there is a local skills shortage and for which we cannot recruit non-EEA individuals should wither and die.

Afterwards, David Goodhart contacted me on Twitter to say that I had totally confused his position. I will now read out his words precisely to get them properly on the record. We had a conversation in which he said that he believes that if we cannot recruit locally in certain parts of the country, we should not use the immigration system to get people in to do the jobs. I asked whether he meant he wanted to give up on fishing. He said: “Not on fishing in its entirety, no, but in certain parts of the country perhaps, yes.”

Mr Goodhart was quite clear that parts of the sector in parts of the country should be allowed to stop—basically, that is parts of Moray, with Mr Scott and Mr Johnson, as well as in the Western Isles, Orkney and Shetland, parts of north-east Scotland and other parts of the United Kingdom where they cannot get a labour force and it may take 10 to 15 years to ensure there are enough local people. I am sure Mr Goodhart will be tweeting me right now to say once again that I have confused his position.

I do not agree with Mr Goodhart. We should not give up on these vital industries, which have been the mainstay of our communities for so many years. Many communities in Moray have far fewer fishing boats than I would like, but those who want to be part of this great industry should be allowed to remain and flourish. If they need crew from non-EEA countries for that, we as a Government and indeed Parliament should ensure that that happens.

I mention Parliament, because this is not just a Scottish Conservative issue or Conservative issue. The right hon. Member for Orkney and Shetland, a member of the Liberal Democrats, had a debate on it, as I said; the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) has had meetings with the Minister about it; and Democratic Unionist party Members have also been in meetings with representative bodies and others. There is consensus across Parliament and across the parties.

When there is a Scottish debate in this Chamber or on the Floor of the House it can often be rather fraught, with much to-ing and fro-ing and disagreement across the Benches. There may be some disagreement today, but ultimately we all want the same thing: a relatively simple solution to a problem causing significant issues in our industry. Whether on the current problem of skills shortages or many others, it is important that the Minister notes that Members on both sides of the House and from all political parties are all saying, “Let’s get this sorted. Let’s do something about it.”

I also want to focus on my party’s manifesto from 2017. Much has changed since that election, but the points made in our manifesto have not. We said: “Decades of profound economic change have left their mark on coastal communities around Britain” and that we want to ensure that that situation changes going forward. We can stand by our manifesto commitment to ensure that we have the right numbers working on our fishing boats. Without them, we risk losing these inshore fishing vessels and a major part of our fishing industry.
I also want to focus on the arbitrary 12-mile limit, which annoys many fishermen. As I said, they can recruit non-EEA workers to fish at 12.1 miles, but not at 11.9 miles or 12 miles. That means we are fishing based on visa regulations, not on where the fish are or where they should be caught. That is nonsensical. How can it be right that our skippers must determine where they fish based on visa rules for recruiting staff rather than where the fish are and where they should be caught? That is not right, and it must change.

Several right hon. and hon. Members from across the House want to speak in the debate. I am grateful for that and for the cross-party support I had to secure the debate. I also make reference to the Backbench Business Committee, which was gracious in allowing us to have the debate today, which is important.

In response to the right hon. Member for Orkney and Shetland, the Immigration Minister said she was considering the report of the Migration Advisory Committee, which will not report until September. However, as I have said—I hope the Minister has heard this—we are not looking for a new solution or to consider the points of that committee, because it will surely come up with the same answers we have. This is an immediate problem, so we do not need to wait until September to find out what will happen and whether it will get worse. This problem exists now, and it also has a solution now. We do not need to wait for that committee to tell us the answer, because it is simple: reintroduce the system we had in 2010 to 2012, with caveats ensuring proper welfare standards for non-EEA workers, and allow our fishermen that sea of opportunity they want to use.

The Fishermen’s Welfare Alliance said in its briefing that the new policy would provide for “controlled and limited immigration.” The Western Isles Fishermen’s Association and the Orkney Fishermen’s Association both say that just 60 experienced fishermen from outside the EEA would be required to crew the inshore fleet to the necessary levels and provide the volume of landings needed for the onshore factories to operate at a sustainable level. We need just 60 experienced non-EEA workers to ensure sufficient people in Orkney and Shetland and in the Western Isles—just one is all Douglas Scott is looking for. When we spoke on the harbour at Lossiemouth on Friday all he wanted was one non-EEA worker to take the strain away from him, to relieve the pressure and to ensure that his fishing boat can operate to the best of its ability.

We are not looking for a huge influx or to change targets. We are looking for the Government to be considerate and to listen to the views of the industry. The industry is crying out for that. It is a small problem in terms of the number of people involved, but it is huge for the communities involved—stretching north to south and east to west. It is a huge problem given the issues resulting from not being able to recruit non-EEA workers: boats tied up and left idle and fishermen going out on their own in dangerous conditions without the necessary support.

The solution to that huge problem is for a small fraction of our immigration policy to be changed. The reintroduction of the policy from 2010 to 2012 could have a huge benefit to our industry, to the Mr Scotts and to fishermen across the country. That is why I was so keen to ensure that this debate went ahead, and why I am interested to hear the response from the Minister for Security. Although the Immigration Minister cannot be with us today, I know she took on board the points raised by all right hon. and hon. Members during last week’s Adjournment debate. We need a solution to this issue—and quickly.

The Immigration Minister has agreed to come to Scotland during the summer recess—she did not agree to get on a fishing boat in Moray, but if the Security Minister would like to take up that offer, he would be most welcome. We need as many people as possible to go to those communities, listen to the Mr Scotts and others, and hear about the problems caused by the policy and the benefits that this small change could make to people’s communities, boats and industry.

As I said, leaving the CFP and the European Union brings great opportunities for Scotland and across the UK. Let us not be brought down by the stubborn refusal of the Government to consider a sensible solution that is staring us in the face. I hope that the Minister and Government will review this policy and come up with a solution that meets the needs of fishermen in Moray, and across Scotland, Northern Ireland and the United Kingdom.

Several hon. Members rose—

Mr Clive Betts (in the Chair): Order. Five hon. Members have indicated that they wish to speak, so that leaves roughly eight minutes each to allow the winding-up speeches to start no later than half past 10.

9.51 am

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): It is a pleasure to serve under your chairmanship, Mr Betts, and not just on the same football team, which we have done from time to time here in the House of Commons. I congratulate the hon. Member for Moray (Douglas Ross). As we know, he is no stranger to football matches either, because he is our referee and a linesman. He is correct to say that this is a much-needed debate, because we need people, primarily from the Philippines and Ghana, to work in our communities on the west coast of Scotland, as well as other places in Scotland and Northern Ireland. I want those people to come, as do my community, islands, fishermen, processors, bosses and staff. The local council wants them to come, as do development agencies and the Scottish Government. In short, I cannot think of anybody in my community who does not want fishing boats to work with able and skilled fishermen from primarily the Philippines and Ghana, which are non-EEA countries. The men I have met from those countries have been cracking, fantastic people, and we are fortunate that they have chosen to come to our part of the world to work.

About a month or six weeks ago, there was a report on “Channel 4 News”, and Alex Thomson came to my native island, Barra, to do a piece on why fishing boats were tied up. He could see clearly the lack of crew. As he was filming—this was one of the most instructive parts—Donald Joseph MacLean’s phone went off, and it was someone phoning from the Philippines, asking when he could come back. He had worked on Barra before, but he found himself stuck in the Philippines, desperate to return to the Hebrides to work, but he could not. He knew of examples of other fishermen who want to return not just to Scalpay and Harris, but to the very boats and fishermen they worked with in the past, yet they are not able to do so.
Families want people to come back. These people are not immigrants; they are migrant workers and there is a huge difference. Their Government want them to come and the Philippine embassy in London wants them to come—I am struggling to think of anybody who does not want them to come. Indeed, these workers are much needed. The underlying case in our communities is that families are smaller. Thirty or 40 years ago, when I was a youngster, I was in a family of three and we were a small family. All the families I went to school with had six or eight children; one family had 14 children, and 10 or 12 was not uncommon. Now families have two or three children, and employment in my constituency is about half the UK average. When young people are trained, they usually do well in school and then go off elsewhere. Young people who get a start on fishing boats soon find themselves with capable handlers. They get a plethora of opportunities elsewhere, and they leave the fishing boats stuck without crew.

In many ways we are a victim of our own success, but unfortunately fishermen and fishing boats are at the bottom end of the pecking order. It is annoying that those boats are often tied up, as they are also the lifeblood of the communities that have enabled so many of us to put down an anchor. That situation of success is causing the current problems for fishing boats.

We need fishermen for the safety reasons outlined by the hon. Member for Moray. Imagine single-handedly taking a boat out 24 hours from the east coast of Scotland to Shetland. There are a number of reasons why, ideally, we do not want anyone to do such a job, but we need people with those skills. Despite what the Migration Advisory Committee says, these are skilled jobs. I will not go out on a fishing boat this summer to do a job that I know people from Ghana and the Philippines can do, and neither will the hon. Gentleman or the Minister for Security and Economic Crime. That is a fact of life.

Given all I have said, and the welcome that we wish to give people who come to the islands, the problem is simply down to a person in London saying, “No”. I have dealt with six or seven Immigration Ministers as, I am sure, has the right hon. Member for Orkney and Shetland. There are a number of reasons why, ideally, we do not want anyone to do such a job, but we need people with those skills. Despite what the Migration Advisory Committee says, these are skilled jobs. I will not go out on a fishing boat this summer to do a job that I know people from Ghana and the Philippines can do, and neither will the hon. Gentleman or the Minister for Security and Economic Crime. That is a fact of life.

I encourage the Security Minister, and the Immigration Minister, to realise that they have many allies in this matter, and they should not be afraid of newspapers, or whatever, that might misconstrue what is going on. I will stand full square by the Minister, and if he manages to get a change today, he will find that the first press release will be mine, praising him for his courage in bringing about that much-needed change.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): Immigration targets are important and the Government are right to have them, but does the hon. Gentleman agree that in this case the numbers involved are so small that the Government could make a sensible change without it affecting the overall target?

Angus Brendan MacNeil: The hon. Gentleman is on the path to righteousness—he is quite right. However, we can go a step further. I raised that point at the Home Office, and I was told, “Oh well Angus, it’s very easy for you to say that, but we’ve got our manifesto in one hand and the economy in the other hand”. I said, “It’s a no brainer; choose the economy”—they have ditched the rest of the manifesto anyway, as we have seen over the past couple of months. In reality, migrant workers come for 10 months and they do not affect the stats—the hon. Member for Banff and Buchan (David Duguid) knows that as well and he is nodding. This situation goes beyond worries about stats—I think those stats are spurious anyway, and they have led to many erroneous decisions—because we have a clear economic case. Let us get those people in, and get them fishing.

David Duguid (Banff and Buchan) (Con): The hon. Gentleman has touched on this point, but it is worth re-emphasising. These migrant workers are just that—they are not looking to come to the UK and settle. They want to go home to their families back in the Philippines, Sri Lanka and Ghana, and we must make that clear distinction.

Angus Brendan MacNeil: The hon. Gentleman is absolutely right. I cannot understand what people prefer about the sunny Philippines when they could be living on a fishing boat in the rain on the windy west coast of Scotland or Northern Ireland, but that is just me.

The Home Office also mentioned welfare, but I would argue that welfare is far better on the west coast of Scotland and Northern Ireland, where boats go home each night. If the Government are that concerned about welfare, they should check every boat outside the 12-mile limit. As the hon. Member for Moray said, those boats are fishing 92 hours on the trot, and giving people perhaps four hours off. We do not know what is happening on those boats. People are illegally working because they are outside the 12-mile limit. Just about the entire west coast of Scotland is inside the 12-mile limit, even though the waters go further than 12 miles. That is a good thing, and we welcomed it when it happened, because we kept those waters for our own boats on the west coast. Now we have been snookered by the Government in London and the Home Office, which are focusing on security rather than the economy. With the greatest respect to the Minister, it is instructive that they have sent the Minister for Security to deal with this immigration matter, and that will annoy many people.

The Minister for Security and Economic Crime (Mr Ben Wallace): With respect to the hon. Gentleman, I know he is a decent fellow but that is a slightly cheap point. I am here because the Immigration Minister is currently giving evidence to a Select Committee. She responded to the almost identical debate last week, but she cannot be in two places at once. She is incredibly happy to engage with all Members on this subject, and no discourtesy is intended by sending the Minister for Security to
respond to the debate. The Immigration Minister cannot be in two places at once—the hon. Gentleman might like to make politics out of that, but it is a simple fact.

Angus Brendan MacNeil: The politics to be made out of it are in the way the Home Office does not see the economy and its needs, but sees migration as a security issue. Migration should be seen as beneficial to the economy. The Security Minister being sent to the debate is a totemic point that says it all about our dealings with the Home Office in recent years. I must be straight with the Minister about it. He is a decent fellow and probably means well, but he wears a particular Government hat and it does not help that the Security Minister is here.

The case has been made time and again by all of us—for the economy, jobs and the vibrancy of communities. The matter is a competency of the UK Government. We need them to act; it is their responsibility. They guard the power jealously and will not devolve it. We are not like Switzerland where 26 cantons hold half the visas. Everything is held centrally and it is the Government’s responsibility. The Republic of Ireland has an advantage, as the hon. Member for Strangford (Jim Shannon) has told me, because it can get fishermen in when it wants.

I am not sure how much progress we will get today but I make a plea to the UK Government, whose responsibility it is—the European Union is not to blame—to move. I am able to put things more strongly than I am not sure they feel the same frustrations. The UK Government—in particular the Home Office—must get on with it, and make it happen. Fishing boats can go out and get on with their job. The Minister may be smiling, but it is vital for people that the boats get to sea, the fish are caught, and jobs and the economy get going as a result. People in my constituency are frustrated, and I hope that I convey half their anger today. We need the pen to be lifted at the Home Office, to get the boats going as a result. People in my constituency are frustrated, but it is vital for people that the boats get to sea.

10.2 am

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I thank my hon. Friend the Member for Moray (Douglas Ross) for securing this important debate on fishing fleets around the UK.

The fishermen I have met in Ayrshire and at Westminster have advised me that the fishing industry is having difficulty attracting workers from within the UK to join fleets. It is expensive to operate and maintain a fishing vessel, and few skippers can afford to have their boats tied up at the quayside for any length of time, particularly when that is because of the lack of experienced and skilled crew members. Succession planning for a skilled labour force in the fishing industry undoubtedly has its challenges, particularly given that the younger generation, whether family members or from outwith the family circle, do not always see it as an attractive career. There is a perception among some people, rightly or wrongly, that the current generation is put off by the early starts, the fact that there are no guaranteed return times, the unpredictable weather conditions and the hard graft that is undoubtedly involved in going to sea. It would not be seen by their friends as a “cool” occupation. Yet, as many in the Chamber know, it can be a very rewarding career.

Regrettably, careers advice sessions nowadays are not likely to focus on fishing as an occupation. Perhaps we should encourage people to go to sea and earn a living as their forefathers did. Yet schools focus on healthy eating, and the health service promotes to the public the importance of vitamin D, of which I understand fish is an excellent source. Local workers, across the age range, may turn out in the summer months, when the money is good, the weather is better and it is safer at sea. However, skippers go out in all seasons and need to be able to rely on dedicated, skilled and capable crew members.

Given the succession and recruitment difficulties, many fishermen who own their boats seek to employ migrant workers, often from the Philippines, who have previously gained experience from having worked in their country of origin on tuna fishing boats. They are said to have a can-do attitude to work, and to be skilled and reliable employees. In his recent Adjournment debate on the subject, the right hon. Member for Orkney and Shetland (Mr Carmichael) highlighted the fact that 800 non-EEA nationals are employed in the catching sector in the UK. However, work permits and visas prove problematic for Filipino workers and for others from the Indian ocean and south sea islands.

It is important that the Government—and it lies with them, as the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) said—should consider liaising with, and building on the previous involvement of, the relevant foreign embassies. I understand that those embassies assisted with seaman’s books to facilitate migrants’ compliance with the law. In the past, discretionary visas, which I believe were issued for two years, attracted those workers, who were happy to come to the UK, including Scotland. On visas, skippers of boats were obliged to provide onshore accommodation and confirm the condition of their boats, as is quite right. They should be safe—and they are, in the majority of, if not all, cases. I understand that the issuing of such visas may have ended simply because a small minority of workers failed to respect the requirement to return home. However, why should that failure condemn the majority who did faithfully comply and whose services proved to be an invaluable asset to the skippers and the fishing industry? Transit visas are currently available, but they restrict such non-EEA nationals from going outwith the 12-mile limit. The very term “inshore fishing vessels” reflects the fact that not all vessels are suitable to go further afield. Also, the best catch at any given time may not be beyond the 12-mile limit.

If the fishing industry is to survive—that opportunity awaits—and, indeed, prosper and more boats are not to languish in harbours, we must take action. That cannot be tomorrow or the next day, or in September or October. We need that action now, to facilitate such workers’ entry, employment, safety and welfare. Yes, of course it must be policed, regulated and enforced, but not to the detriment of our fishing fleet or of a great opportunity to sustain but also expand it. To do that, we need the workers in question to be able to join fleets in Scotland and throughout the UK. In the long term, thought should be given to encouraging young people to make a career in the industry, as used to happen. As the hon. Member for Na h-Eileanan an Iar said, the numbers in fishing communities in the islands of the west coast may be dwindling, but fishing could still prove an excellent career in future. I ask the Minister to recognise and resolve the issues we are debating, without delay.
Jim Shannon (Strangford) (DUP): It is always a pleasure to speak on this issue, and it is always good to see the regions of the United Kingdom of Great Britain and Northern Ireland agreeing on something. It is one of many issues that unites us; we can all sing from the same hymn book about it.

I thank the hon. Member for Moray (Douglas Ross) for bringing the matter to the House and clearly setting the scene. I was a member of Ards Borough Council and I have represented Strangford in the Northern Ireland Assembly and do so now as a Member of Parliament, and the issue we are debating has been a key issue throughout. Fishing is in my blood; I never worked on the boats, but my brother did and I understand the issues clearly. When I was introduced to the fishing fleet in Portavogie, I became aware of the heightened level of danger affecting fishermen and fishing boats. That reinforces the importance of fishing to people in Strangford, in Portavogie in particular, as well as in Ardglass and Kilkeel.

With all the Brexit talk and the decisions over deal makers and deal breakers, there is no one among us who does not think about the subject during most of the hours of the day. Probably we all do: it is Brexit in the morning for breakfast, then for lunch and dinner and before bed—and on getting up in the morning it is all Brexit. We shall have more Brexit before the day is out, and I hope our appetite for it will be as strong as it was when it started. None of us wants to face the prospect of a no-deal exit from Europe, but there are things that are deal breakers, and to me the exclusion of non-EEA fishermen needs to be one of the things that is gone with the wind.

We need security of employment for the fishing fleet in Portavogie, Ardglass and Kilkeel. We understand there is a need for Filipino fishermen in particular, because they are dependable and they work hard. The whole thrust of their life is to do the job, which is why the fishing fleet owners in Portavogie, Ardglass and Kilkeel want them. Other Members have made a similar point about wanting Filipino fishermen to be able to come here. It must be possible to hire crew based on who can do the job, and not what someone’s passport says. Fitness for purpose is something that has often been lost in the eurozone as we focus on nepotism as opposed to ability. We must ensure that, going forward, we do not lose that home-grown crew, but otherwise, with whoever can do the job and fit in best within the vessel.

We in this Chamber are all aware of the issues at play here. It is good to see the Minister in his place; I know this is not his direct responsibility, but we look forward to his response. There are five tiers to the points-based system. The tier 2 or general visa is the main category for bringing skilled non-EU or non-European Economic Area workers to the UK. Generally speaking, the tier 2 visa caters only for jobs that are classed at graduate level with a minimum pay of £30,000 per year, and for jobs that are on the official shortage occupation list.

Tier 3, for low-skilled workers, has never been used. It has always been assumed that any need for low-skilled workers can be met from within the UK or European Economic Area, but it cannot. That is why this debate is important and why the fishing fleets across the whole United Kingdom of Great Britain and Northern Ireland need the opportunity to introduce this new tier system, enabling the Filipino fishermen to come to all the fleets across the UK and in Northern Ireland.

David Simpson (Upper Bann) (DUP): I thank my hon. Friend for giving way and I congratulate the hon. Member for Moray (Douglas Ross) on bringing this debate. My hon. Friend will know that we have a lot of people working across the wider spectrum of the agri-food industry from other parts of the European Union and from outside the European Union. Surely, if accommodation can be reached there, it can be reached on the fisheries side. It does not make sense.

Jim Shannon: I agree wholeheartedly with my hon. Friend and colleague. To reiterate the comments of the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), I must say that the hon. Members here who met the Minister are united on the simplicity of what we are asking for. It cannot be any more graphic or easily put together than it is.

Angus Brendan MacNeil: The hon. Gentleman is putting the case a lot more calmly than I did, because I am so frustrated by this. Was his heart lifted when he saw a few weeks ago, when the new Home Secretary came in, that the Financial Times raised the issue of doctors and nurses on the Monday and, by Friday, the pen was lifted and it was sorted out? It is as easy as, “Lift the pen. Sort it out, Home Secretary.”

Jim Shannon: I thank the hon. Gentleman for his intervention. It is that simple. If we have a willingness to do it, let us just do it. We do it for the right reasons—not just because it feels good but because it helps the industry, as those of us who represent fishing villages know. My local fishermen cannot speak highly enough of the ability and work ethic of those from the Philippines, and yet they have been prevented from utilising people who, while they may not be highly skilled on paper with degrees and letters after their name, undoubtedly have the ability and fitness for purpose that is needed.

I often quote my mother in this House. I do so because she is a very wise woman, not because she is my mother and I am her son. She is very wise. My mum often says, “Letters after your name don’t mean anything to someone whose house is flooded and needs a plumber.” Letters do not mean anything in that trade; experience and know-how do. Fishing is the same. Degrees will not help to bring the people who come as migrant workers. They are far beyond what someone’s passport says. Fitness for purpose is something that has often been lost in the eurozone as we focus on nepotism as opposed to ability. We must ensure that, going forward, we do not lose that home-grown crew, but otherwise, with whoever can do the job and fit in best within the vessel.

In my discussions with local fishermen, I have found that they particularly value the Filipinos who come as migrant workers. They are far beyond labourers; they bring great skills to the fishing fleet. Does my hon. Friend agree?

Bill Grant: In my discussions with local fishermen, I have found that they particularly value the Filipinos who come as migrant workers. They are far beyond labourers; they bring in immense skills, whether in engineering, safety or dealing with vessels. They bring important skills to the fishing fleet in Scotland, Northern Ireland and throughout the United Kingdom. They are more than simply labourers. They bring great skills to the fishing fleet. Does my hon. Friend agree?

Jim Shannon: My hon. Friend is absolutely right that they bring skill; I think if the Home Office looks at this issue it will see the skills that the Filipino fishermen have. They should fall into tier 2, where we can enable
them to be accepted. I think the hon. Member for Na-h-Eileanan an Iar is right when he says it is a simple issue. I read the same article in the paper that he did. The Home Secretary accepted that there was a methodology that justified the right for doctors and so on to come in. By the same logic, that should happen here as well, and I would like to see it take place.

We want to see the Filipino fishermen allowed in. Under the transit visa provisions, non-EEA nationals cannot come to work on vessels that operate wholly or mainly within the 12-mile limit. People who work, or employ people to work, on inshore vessels after they have come to the UK on a transit visa or sought to enter at the border to join a ship are breaking immigration law.

Even more important, prawn trawlers, for example, operate by dragging a trawl net across the seabed to catch prawns, so only certain parts of the sea can be fished. The sea off the west coast of Scotland, containing the sea of the Hebrides, the Little Minch and the Minch, is a particularly good fishing ground for langoustines, but these areas are also well within territorial waters, as is most of the sea around Northern Ireland. Prawn trawlers have one of the highest demands for non-UK crew. Therein lies a key issue for my constituents and for the constituents of other hon. Members present. The difference is down to geography and, as usual, the postcode lottery does not work in favour of my constituents.

I, along with other interested MPs—the right hon. Member for Orkney and Shetland (Mr Carmichael), the hon. Member for Na-h-Eileanan an Iar and the hon. Member for Banff and Buchan (David Duguid)—met with the Minister for Immigration and had a very forthright meeting, in which we tried to press collectively, from our four different parties, the importance of this issue. I know that the fishing organisations in my area are currently working hard to address the fact that, despite the demands of their difficult and often dangerous job, fishing vessel crew members are not deemed to be sufficiently skilled to fall within the ambit of tier 2. We need these workers to be elevated to tier 2, or tier 2 to drop down to that level. I feel the frustration that the hon. Member for Na-h-Eileanan an Iar expressed; I am not always cool, but I try to make the case in such a way that people can understand the need to do it.

The Northern Ireland Affairs Committee, which I sit on with other colleagues and hon. Friends, is doing an inquiry into fishing. One of our recommendations is that the issue of Filipino fishermen should be addressed. I am conscious of the time, so I will make one last comment. The Department for Infrastructure in Northern Ireland did a trawl—if I can use that pun—across the whole of the UK and Europe for 150 job vacancies. That is the Department, not Jim Shannon or the local councils; it was the Northern Ireland Assembly when it was functioning. We got some 30 replies to that from the whole of Europe, and only 10 applicants were suitable for interview. Eight attended the interview; six were chosen, of whom one did not turn up; five took the jobs. We have 145 jobs that Northern Ireland’s DFI cannot fill.

We have done everything we can on this. The local Assembly has tried. We now look to the Minister and the Home Office to do the same thing as for the doctors and nurses—to bring in the Filipino fishermen who would help our industry to thrive. When we are out of Europe, on 31 March 2019, we will need an industry that is able to respond to what we can do when we advance. I thank the hon. Member for Moray again for introducing this debate. Everyone is united in this. All we need now is for the Minister to say, “Yes, let’s do it.”

Mr Clive Betts (in the Chair): I have two more hon. Members who wish to speak. Some hon. Members have not quite followed the guidance, and we have to finish this debate by half-past 10, so it would be helpful if the remaining speakers could look at that and split the time between them.

10.17 am

Kirstene Hair (Angus) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for Moray (Douglas Ross) on securing this important debate, one that is significant to his constituency and to my own. He has been a champion of the fishermen and the fishing industry in the north-east.

The fishing industry in the UK is a key component of our economy. In 2016 alone, the value of landings by the UK fleet was worth approximately £1 billion, with more than 10,000 jobs resting on the industry, and many others in the supply chain. Just last month, the Secretary of State for Scotland and I had the pleasure of visiting the Dawnfresh Seafoods site in Angus, a thriving business and a key employer in the region. That business demonstrates every day how fishing touches every corner of Scotland. Drawing its stock from the north-west of the highlands, with processing in both Uddingston and Arbroath, sustainability is at the core of what it does—a reflection of how Scottish fish management has improved dramatically in recent years.

Unfortunately, it is undeniable that the UK fishing industry has faced its difficulties over the last few decades, but our fishing fleets are largely family businesses that have devoted many generations of service to the industry, and we must do all we can to harness the potential going forward. In the wake of the recent difficulties, and given the importance of this industry to the UK, Government, the Government must do everything possible to encourage and nurture this important sector. Ease of access to suitable labour is one area where change is desperately needed. We need a system that reflects the skills that this country needs.

As it stands, non-EEA workers play an indispensable role in assisting UK fishing crews in delivering fish from the ocean to our dinner tables. These foreign workers, frequently from south-east Asia, possess a level of skill and knowledge unmatched by potential workers already in the UK. This is skilled work, necessitating years of experience, but it is wrongly classified as unskilled.

We must not suggest that local workers must take up these jobs, as other Members have said. Just as for the soft fruit industry in my constituency, we need to bring in that labour in order to secure the long-term future of the industry. As I said before, if a job is available in the UK, it goes without saying that any British citizen should have the opportunity to apply for it. However, there are all too frequently not the candidates or even the necessary numbers to allow UK fishermen to carry on their trade. I hope the UK Government will take the necessary steps to ensure that non-EEA labour is made more readily accessible to the UK fishing industry, not only to protect our economy but to allow this vital sector the opportunity to enjoy fully the benefits of leaving the EU and the common fisheries policy.
All the evidence suggests that the current situation is having a detrimental impact on our fishing industry, and I urge the Minister to give a glimmer of hope that the Home Office is seriously looking to mitigate the issues unnecessarily posed towards it. We need a resolution sooner rather than later.

10.20 am

David Duguid (Banff and Buchan) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for Moray (Douglas Ross) on securing the debate. I recognise many of his concerns, as well as those of other right hon. and hon. Members, and they are shared by fishermen in my constituency.

The confirmation in the Government’s fisheries White Paper that the UK will become an independent coastal state and will take back control of its waters is welcome. It lays the groundwork for the revival of fishing communities long neglected by the EU and by Governments of all parties. However, leaving the common fisheries policy is the start of the process, not the end. If the Scottish fishing industry is to achieve its full potential, it needs to ensure that the Scottish inshore fishing fleet can access the non-EEA labour that it needs.

Of the roughly 4,000 crew working in the catching sector around Scotland, around 800 come from non-EEA countries, with a further 400 from within the EEA. After Brexit, 1,200 fishermen—30%—will need to be sourced from overseas. The industry has not always been so dependent on migrant labour: traditionally, almost all crew came from local coastal communities, with few coming from inland, let alone from further afield. Due to the constraints of the CFP over the years, there were simply too many UK vessels chasing too few fish, leading to decommissioning schemes at the start of the century that cut the number of jobs.

However, the industry is already working to encourage the resurgence of fishing as an attractive career, as other Members have said, and it must be encouraged to do so. Foreign crew rarely settle in the UK or climb through the ranks to become skippers, even though in many cases they will have been merchant seafarers or captains of larger vessels in their home countries. The talented deck hands of tomorrow are the local recruits of today.

The Scottish White Fish Producers Association says that, as we leave the CFP, even with Government support, greater innovation and further improvements in training and upskilling, it will take at least a decade or longer for the Scottish industry to close its current local labour shortage. Our coastal communities cannot afford to wait 10 years. Without access to experienced crew members, vessels will lie idle, as they do currently. We will take back control of our waters only to let them go unfished; in many areas, there will simply be no more fishing industry.

Access to skilled migrant labour—these people are skilled—is necessary if the industry, in Scotland and across the United Kingdom, is to truly reap the benefits of exiting the CFP. After Brexit, we must work on increasing the capacity of our fishing fleet, but we can only do so if the industry has enough crew to cope with the increased supply of fish. Currently, as other Members have mentioned, the industry relies on transit visas, which are conditional on non-EEA crew working outside the 12-mile limit of UK waters. That adds unnecessary complexity to the job and limits activity to where workers are allowed to fish, rather than where the fish are. For smaller vessels, which tend to fish closer to shore, these visa rules are more restrictive, if not completely unworkable.

The UK Government previously operated a concession that allowed some visas to be issued to non-EEA fishermen to work on the inshore fleet. The re-establishment of such a scheme would be most welcome, at least until a longer term solution can be developed. Since 2012, demand for experienced crew has actually increased, which we hope to see continue as we leave the CFP. Such a concession would guarantee workers the same employment protections as anyone else. As the Fishermen’s Welfare Alliance has made clear, any new scheme must give us these protections. We must ensure that the sector can access the labour it needs and end the bizarre idiosyncrasies of the 12-mile limit while ensuring the welfare of the non-EEA workers in the sector.

However, there is perhaps a simpler solution: recognising that fishermen are skilled workers and adjusting our visa regime to reflect that. The industry faces not only a labour shortage but a skills shortage. Fishing is most certainly not unskilled work, and many of the non-EEA crew working in the industry here are talented, seasoned deck hands. Like the home-grown fishermen of the past, they were born into, or least grew up in, a fishing or seafaring culture. As I mentioned, crew members from marine nations such as the Philippines, Sri Lanka and Ghana generally do not look to settle in the UK. In fact, much inshore fishing activity is seasonal, so a similar approach to that currently being considered for seasonal agricultural workers could be possible.

My constituents in Banff and Buchan, including in the increasingly busy ports of Peterhead, Fraserburgh and Macduff, elected me on a manifesto commitment to not only leave the CFP but to work to ensure that coastal communities enjoy the vitality and opportunity they deserve. That means ensuring that the fishing industry gets the access to the skilled non-EEA labour it needs. The industry cannot cope with the current restrictions any longer. If our coastal communities and fishing industry are to enjoy the revival offered by our leaving the CFP, we need change now.

While I am thankful that the UK Government have been willing to engage on this issue, I stress, as have other Members, the urgency with which we need that change. It is an issue that could make or break the future of our fishing industry and our coastal communities, and I look forward to the UK Government’s swift action on it.

Mr Clive Betts (in the Chair): I thank hon. Members for their co-operation in making their speeches in a timely way. We now move on to the Front-Bench spokespeople. They have roughly 11 minutes each in which to speak, which will leave a bit of time for the wind-up speech at the end of the debate.
Deidre Brock (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairmanship, Mr Betts. I commend the hon. Member for Moray (Douglas Ross) for bringing this important debate. I will mention a few points raised by him and by other hon. Members.

The hon. Gentleman highlighted the concerns he had received directly from fishermen. Those personal testimonies and experiences illustrate for us—not better than the very good briefings we have received on this matter—the precise nature of the problems, including the Government’s policy on the 12-mile limit and their attitude to migration. I will come on to that later. The fishermen also called for the more customised approach for which the Scottish Government have also called for some time.

My hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) is an excellent constituency MP, and he spoke with his usual passion on how much support there is across the board for non-EEA workers coming here, and of their being in many ways the lifeblood of fishing communities up and down the coast. He also mentioned how many allies the proposal has, and insisted that the UK Government begin to act on it.

The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) highlighted the difficulties that the industry has experienced in recent years in attracting local youngsters to the profession. The hon. Member for Strangford (Jim Shannon) gave us the Northern Irish perspective, as always, but also a personal viewpoint, given his family associations with the industry. He called for the UK Government to acknowledge the industry’s simple point: that it needs people who can do the job now, not in 10 years’ time. He also said that all in the UK are on the same hymn sheet.

However, it is worth remembering that Ireland is a part of the British Isles, and because of its independence it can in many ways make better choices specific to its own requirements; that contrasts with the situation that we are discussing, in which it seems that one size fits all. As I said, that is worth remembering. The hon. Members for Angus (Kirstene Hair) and for Banff and Buchan (David Duguid) reminded us of the UK Government’s role, still, in turning on and off the tap of this vital labour source for Scotland and other parts of the United Kingdom and Great Britain without due regard for the devastating impact on small coastal communities.

It is very good to see cross-party consensus on the need for concessions on visas for non-EU crew to keep our fishing fleets safely on the seas. A sticking plaster over a rotten immigration policy it may be, but it is a much-needed one. My hon. Friend the Member for Na h-Eileanan an Iar, along with others in this place, has been championing this cause for some time, and it is good to see more recognition now of the absurdity of boats being tied up for lack of crew when people are available to do the job.

One of the things that sticks in my craw most about the rules on transit visas is that they squeeze hardest the smaller boats—those with one or two crew members, fishing daily from local ports. They struggle the most when staff are hard to find. The recent fishing White Paper said that the Government would encourage growth in the small boat sector. If they mean what they say for once, fixing this issue would be a good start.

I hope that the Security Minister and, through him, the Immigration Minister will reflect on the strength of the evidence that has already been presented and the importance of the fishing industry to Scotland and will act with greater urgency than they have indicated they are willing to do so far. It is clear from the figures that we have heard how dependent the whole industry is on non-EEA staff, so concessions should be the easiest decision that they have ever made. There are precedents: the offshore wind farm sector has a concession to allow non-EEA crew to operate inside 12 miles.

There is surely no need to wait for the autumn report from the Migration Advisory Committee, particularly as the MAC does not seem to be flexible itself when it comes to recognising shortage occupations and sectoral needs in Scotland. The issue seems to be that deckhands are not regarded as skilled by the great and the good who decide such things. I suggest to anyone who defines being a member of a fishing crew as unskilled work that they take time out this summer and get some work experience on a Scottish fishing vessel. When they have successfully mended a torn net in the face of a howling storm, they can come back to us and tell us that it is unskilled.

Fishing is not an industry that easily fits into a tick-box system for staff, but it clearly takes unique skills, experience and a certain type of character to do this job. The Scottish White Fish Producers Association, which knows a bit more about it than we do in this place, identified the need to recruit fishermen from outside the EU and found a similar skillset in fishermen from the Philippines, Sri Lanka and Indonesia. Skilled fishermen who are willing to leave their families and come to do a tough job over here should be welcomed and given all the rights and protections of our EU workers.

Angus Brendan MacNeil: My hon. Friend is summing up the debate fantasticaly well. I want to reiterate that I have prepared a press release into which I will insert the name of the Minister who lifts the pen and makes the change, with high praise. I hope that a Government who need some good news will at least grasp this one little straw and ensure that what we have asked for happens, and this summer. This is not a question of reports; we know what the arguments are. It has just got to happen.

Deidre Brock: I absolutely agree. I certainly hope that something will happen along those lines, although I remind my hon. Friend that last November the then Immigration Minister, now the Minister without Portfolio, promised to look into the possibility of running a pilot scheme in which seasonal workers coming from non-EEA countries could work for nine months to help the fishing industry on the west coast of Scotland. As of yet, I think, we have heard nothing further about that proposal.

Angus Brendan MacNeil: I do not know how many Immigration Ministers we have dealt with and had this same discussion with. We have to educate them, tell them, inform them—whatever. We get the promise of jam tomorrow, and before we know what is happening, they have been promoted, sacked, moved on or whatever and we are dealing with another one. It is groundhog day on this issue with each and every different Immigration Minister; and in a few months’ time, given the rate of attrition in this Government, we will probably have someone else again.
**Deidre Brock:** My hon. Friend makes an important point. It is very difficult for the industry to deal with the revolving door of Ministers who constantly have to be informed of the important parts of their brief that they need to get up to speed with and deal with. Then they need to go round and visit all the different and important stakeholder groups and get to know them. Things are very difficult for the industry in those circumstances.

**Jim Shannon:** I congratulate the hon. Lady on the contribution that she is making to the debate. Does she agree that the pilot scheme that has been intimated to us on a number of occasions—indeed, the last occasion was the last meeting that we had—is something that we are all very eager to see coming into place? It is one that the industry and the sector will work with, as the hon. Lady said, and elected representatives will also endeavour to ensure that it works. All the safety and all the employment rights that are important for it to go forward are things that the industry is committed to. If ever you wanted a good scheme, do the pilot scheme now.

**Deidre Brock:** I absolutely agree. There is nothing to be lost by looking at this proposal. There is a general will across parties and across the industry to make the pilot scheme work. I am sure that if a Minister fronted up and actually committed to it, all of us would be cheering to the rafters, as my hon. Friend the Member for Na h-Eileanan an Iar points out.

I was referring to skilled fishermen and the fact that they are willing to come here to do this very difficult job. They should be welcomed and given all the rights and protections that EU workers have. The SWFPA chief executive, Mike Park, says that people have presented the case to the MAC and to various Immigration Ministers over the last few years, but on each occasion they were “basically told to go away”.

A new scheme for non-EEA workers would be lifeblood to our fishing fleets—we have heard the evidence that it could take 10 to 15 years to get fully staffed from local sources—but it would of course be even more sensible for the Immigration Minister to accept that the one-size-fits-all immigration system is not the right solution. If she is worried that any sensible concession for fishing might open the floodgates for other shortage occupations, the solution is not to bolt the door and hope that they go away. Perhaps she ought to ask how the MAC compiles its list, why so many sectoral cases can be made and whether the committee’s approach to immigration is working in the best interests of the economy. Reducing dependency on migration by killing an industry that is working in the best interests of the economy is putting more than the future of the fishing industry at risk. It is one third of Scotland’s local authority areas that are projected to decline, and future population growth in Scotland is expected to depend entirely on inward migration. We have the space and the need to welcome more people who want to live and work here, yet we are enforcing net migration targets that are entirely counterproductive.

The ever more hostile approach to immigration has not only been damaging economically; it has been distasteful and inhumane and it reeks of racism. Despite all the evidence of the benefits that migrants bring, the Tories have doggedly stuck to the notion that cutting numbers is more important than meeting need. I continue to hope for a change of heart from the Government, or for devolved control of immigration policies so that we can do that better in Scotland, but this concession for fishing would not even ruffle the feathers of the people counters in the Home Office. The number of skilled fishermen affected would be some 1,200 or so—a number far too small to make a dent on its silly targets, yet crucial enough to have a massive knock-on impact for coastal communities across Scotland.

I urge the Government to do the right thing for the fishing industry for once. Our fishing communities need flexibility from the immigration system if they are to survive. They need support from this Government through their currently reserved powers on immigration, not intransigence. The need and the solution are clear. Decisive action would be welcome.
The immigration Bill that was originally promised last year has been pushed back to the autumn, brought forward to this side of the recess and pushed back again to the end of this year. The Government have been saying for months that all migration concerns will be addressed by the Migration Advisory Committee’s report. I found it astounding that the Government do not feel the pressing need to address this issue. While there are, of course, concerns about migration post Brexit, a number of sectors, such as inshore fishing, are suffering labour shortages now, even with access to the free movement of labour. These sectors cannot wait for the vague promises of clarity in the MAC report in September. The MAC’s remit is broad. There is no guarantee for fishing, agriculture or any other sector.

Angus Brendan MacNeil: The hon. Gentleman is absolutely correct: we cannot wait until September for that. Although some of the newspapers might not be here, this debate is being watched outside. I have just received a message from my constituent. Christina MacNeil said:

“Surely this will be resolved as soon as possible—it’s not rocket science to see the benefits that will be gained.”
I thank the hon. Gentleman for making that point.

Afzal Khan: I agree with that comment. The sectors that are suffering will be central to the MAC’s recommendations. Even if they are, we will have to wait for a Government response and it will take time to implement whatever the proposed scheme turns out to be. The Brexit White Paper published last week contained only 20 paragraphs on immigration. They are very narrow. There is no mention of what the proposals will be for low-paid, so-called low-skilled workers, often found in the inshore fishing industry. At this point, there is no time for the Government to bring an immigration Bill before the recess. I hope that when we come back in September they will move quickly to provide clarity and reassurance to sectors already suffering from shortages.

I would like to address briefly the risk of exploitation in this sector. In the last 10 years, deeply concerning reports of slavery and human trafficking aboard British fishing ships have come to public attention. Isolated working combined with poor regulations makes fishing workers particularly vulnerable to abuse. Remedies are often out of reach. Living conditions are often poor. Many migrant workers live aboard their vessels while in port. These vessels are not designed for long-term living. This sector is already hard to regulate. Certain visa arrangements are leaving workers at a higher risk of exploitation. The current transit visa system and 12-nautical-mile exemption leave loopholes open for exploitation. Without the opportunity to build a network in the UK, workers are less resilient. It is vital that whatever scheme we end up with, workers are not tied to their employers in the way that we have seen with domestic workers.

The Gangmasters and Labour Abuse Authority has done good work in the area of labour inspection and enforcement, but its remit is very narrow, covering only food processing, agriculture, horticulture and shellfish gathering. The UK’s enforcement model is complex and confusing. A number of different bodies are responsible for different parts of the labour market. According to Focus on Labour Exploitation, the UK has one of the poorest-resourced labour inspectorates in Europe. The International Labour Organization recommends a target of one inspector per 10,000 workers. The UK falls well below that target, with one inspector for every 25,000 workers.

It is vital that proactive inspection efforts are increased as we leave the EU and new opportunities for exploitation arise. Self-identification among victims of exploitation is low. The most vulnerable to abuse are the least likely to come forward. This includes migrants, who, faced with a hostile environment, are fearful about their immigration status and potential immigration repercussions for them coming forward.

In conclusion, the Government’s migration policies have, so far, been driven by the net migration target and Tory infighting on Brexit. The inshore fishing sector provides stark illustration of the damage of this approach. The Government have again delayed the immigration White Paper. Sectors such as fishing cannot wait another year for clarity on their future workforce. The Government must get on with announcing their future migration policy and ensure that it provides adequate protection for vulnerable workers.

Mr Clive Betts (in the Chair): I remind the Minister to allow a minute at the end for the mover of the motion to respond.

10.46 am

The Minister for Security and Economic Crime (Mr Ben Wallace): Thank you, Mr Betts; it is a pleasure to serve under your chairmanship. I congratulate my hon. Friend the Member for Moray (Douglas Ross) on securing this debate. I noted earlier the point made by the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) about the Security Minister answering the debate. The Home Office means no discourtesy by asking me to answer the debate. The Minister for Immigration, my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) is attending Cabinet—not a Select Committee, and she answered a debate here only last week. She will always be available to do it.

I think they probably sent me, the Security Minister, because I represented north-east Scotland in the Scottish Parliament a long time ago. I have many fond memories—

Angus Brendan MacNeil: Will the Minister give way?

Mr Wallace: No, we do not have time. I am afraid the hon. Gentleman’s Front-Bench spokesperson spoke for way longer than the other two so the Scottish National party has used up most of its time already.

I lived in Donside, with an office in Stonehaven, and have fond memories of meeting with the Scottish fishermen’s Federation, the Scottish White Fish Producers Association and the Scottish Pelagic Fishermen’s Association. I remember learning the differences between pelagic and demersal fish and so on. I have some experience. Indeed, I sat on the European committee and looked at reform of the Scottish fisheries policy when I was in the Scottish Parliament. At that time, the hon. Member for Na h-Eileanan an Iar was probably down here in Westminster. That may be why they sent the Security Minister; he has some experience and knowledge of those things. My grandmother’s family actually hails from Keith in Moray. A large part of my family, on both sides, are from Keith and Aberdeenshire. They were Unionists, I hasten to add, and still are.
I have listened carefully to the points that were made by all hon. Members and have noted the many concerns. It is tempting, as the Security Minister, to ensure that the Immigration Minister always attends these debates by simply going off script and just giving a commitment—I guarantee they will never ask me again.

I hear the strength of feeling, which is cross-party and deeply felt. When there is a skills shortage, whether in agriculture, fisheries or aerospace—which employs 6,000 workers in my constituency—it is incredibly important that skills requirements are met. Skills are like oxygen to an industry. We can debate regulation and tax, but skills are needed. That is not to say that we have to let employers off the hook for investment in their workforce. We should bear it in mind that while we remain members of the EU, we have a pool of 500 million people to recruit from. Youth unemployment in other fishing countries, such as Spain and Greece, is well over 30% or even 40%. It is interesting that we have been unable to recruit people from those countries. Employers have to ask themselves about wage rates and the Government have to ask themselves how we can do more to recruit people.

Jim Shannon: Will the Minister give way?

Mr Wallace: Sorry, we do not have a great deal of time. I am happy to speak to the hon. Gentleman afterwards.

Otherwise, we are in danger of constantly undermining employment rights and the basic standards that we expect by grabbing people off the shelf from further and further afield to meet demand. That is something that we should not take lightly. We have to ask why only 10% of the English fishing fleet’s workforce are from the European Union or non-EEA countries, but 35% of the Scottish workforce and 53% of the Northern Irish workforce are. There must be a reason for the difference.

Jim Shannon: I referred to the Department for Infrastructure, which is responsible for this in Northern Ireland. It did a Europe-wide recruitment programme and filled only five out of 150 jobs. Clearly, a lot of effort has been put in by the Northern Ireland Assembly and by other bodies in the United Kingdom. With respect, that proves that we need to try more widely to recruit fishermen from the Philippines, because that is the only place potential workers are coming from.

Mr Wallace: The Northern Ireland Assembly has to be commended for making that effort, but we also have to mention salaries. Margins in fishing and agriculture are not large, which is a big challenge, because people cannot rustle up a high salary if they are not making much profit, but basic economics says that if someone cannot recruit, they have to look at terms and conditions, and obviously salaries.

My right hon. Friend the Immigration Minister and I have looked carefully at some of the good ideas put forward by the Fishermen’s Welfare Alliance. I am open to the idea of the temporary scheme that existed between 2009 and 2012, and I will press the Immigration Minister; and the Government more broadly, to explore that to allow some of those issues to be addressed.

We have also had representations from the trade unions, which wrote directly to the Home Office to express their concerns about proposals to lower the bar for the admission of fishermen working in the inshore fleet. In their view, that might weaken our commitment to increase employment opportunities in the UK’s domestic maritime sector.

As a Home Office Minister, I understand the industry’s pressing need, but I also understand that that need is not unique to fishing but is clearly present in agriculture, whether that is soft fruit or other parts. It is also extant for other skills. When I was a Northern Ireland Minister, there was a need for skills in the tech and digital industries, because firms were moving from Northern Ireland to the Republic of Ireland because they could find the skilled workforce more easily there. We have to tackle the skills issue in a way that reflects the pressing need, and invest in our domestic workforce at the same time. The Home Office should be open to looking to relieve some of those pressures temporarily, however, as it has in the past. I will press the case for doing that for fishing in the Department and to the Immigration Minister, as they are doing for other parts of the economy that face those issues.

As we approach leaving the European Union, it will be easier to strike the balance between immigration policy and domestic skills policy. The Government will obviously be listening to the industry and stakeholders about that to inform a new immigration Bill, in line with the new fisheries strategy that the Department for Environment, Food and Rural Affairs published, which looks at what we will do with our fisheries after Brexit to ensure that we have the skills to match.

In the past, there have been successful short-term schemes, but we need to stimulate our domestic skills base as well and ensure that the terms and conditions are met in a way that looks after people who come here to work. In offshore fishing, where there has not been that restriction, we have seen considerable exploitation of workers in some cases. Border Force has stopped factory ships, where people are part of the human slavery that has been going on. We have to be alert to that position.

We have to listen to the independent Migration Advisory Committee, which has previously looked at the issue. It is looking at several factors again as we approach Brexit, and we will be open to its research-based views and suggestions. The Immigration Minister has obviously heard the previous calls from hon. Members, and I will ensure that this debate is reflected to her when I see her later today.

Hon. Members should not think that the Government do not take the importance of the fishing industry seriously; we absolutely do. We do not think that people working on boats are unskilled—clearly, they are. I have been up to some of the fishing boats at places such as Fraserburgh and Peterhead, and my seat neighbour Fleetwood has one of the main fishing processors in England, so I am not blind to the industry. The tier 2 visa is for work at a graduate level. As a non-graduate myself, perhaps there is something to examine in the way we define skills after Brexit.

It is a serious matter, and we should be trying to get on and deal with it. We will listen to representations from all hon. Members. Members, but we have to bear in mind the wider immigration picture, no matter which party is in government—the rules were set in 2008. It is true that immigration and skills affect the constituencies of the hon. Members present, who predominantly represent...
north-east Scotland, but also Northern Ireland and the Western Isles, but they also affect all industries, and we have to address that in future.

There is no substitute for long-term planning for skills. I am acutely aware that employment, long-term planning and education in Scotland have been the Scottish National party’s responsibility for a very long time. If the fishing fleets are desperate for workers, what have the Scottish Government been doing for the last 10 years to prepare their workforce and people to come forward and fill those places? The answer is that education in Scotland has declined under the SNP’s leadership, which is tragic, because my forefathers in Keith were teachers. That is potentially why there is a big problem. [Interruption.] Although they are crowing from the side lines, the SNP—

Mr Clive Betts (in the Chair): Order. Occasional comments are okay, but let us tone it down a bit.

Mr Wallace: The best way to approach a skills problem is through long-term investment, coupled with short-term measures to fill the gaps. At the same time, we need to address conditions and workforce problems so that people want to work in industries such as heavy industry, fishing or agriculture. I have listened to the genuine concerns constructively expressed by my hon. Friend the Member for Moray, and I will take forward his ideas to my right hon. Friend the Immigration Minister and into Home Office policy.

10.57 am

Douglas Ross: It has been a pleasure to serve under your chairmanship, Mr Betts, and I am grateful for the way you have chaired the debate. I thank all right hon. and hon. Members who have contributed.

The hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) made a good speech, in which he described his local constituency issues and the issue that he has raised many times. In intervening on the hon. Member for Manchester, Gorton (Afzal Khan), he mentioned some messages that he had received during the debate. I also received a message asking, “How many times will Angus Brendan MacNeil mention his pre-prepared press release?” It was a big part of his speech. I hope that he will be able to send that press release one day, and we are all able to see it.

My hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) was right to highlight the skills of young people who want a career in the industry. We have to ensure that there are opportunities for young people in our communities to join the industry if they want, but there are not enough of them at the moment.

The hon. Member for Strangford (Jim Shannon) spoke passionately about the issue, which he has great experience of and has been dealing with for so long, as a council member, an Assembly member and now a Member of Parliament. It was useful to hear his experience of all those areas.

My hon. Friend the Member for Angus (Kirstene Hair) made a call for mitigation sooner rather than later, which was echoed by hon. Members across the Chamber. My hon. Friend the Member for Banff and Buchan (David Duguid) mentioned his considerable experience in the area, and rightly talked about the irony of taking back control of our waters, only to leave them unfished if we do not have enough people to work in them.

I am grateful that the Security Minister is present, and I understand why the Immigration Minister could not make it, because of a conflict with Cabinet. Like him, I served in the Scottish Parliament before I came down here so he has experience of the industry, having represented the north-east of Scotland. I was grateful to hear him say that he would press for a temporary solution and take back what has been said in the debate by hon. Members of all parties to the Immigration Minister and the Government. That is all we can ask for. An immediate solution would be great, but a temporary solution is one we would like. I am grateful for everyone’s contributions.

Motion lapsed (Standing Order No. 10(6)).
Sir Henry Bellingham (North West Norfolk) (Con): I beg to move,

That this House has considered the Construction Industry Training Board proposal to move its headquarters from Bircham Newton, West Norfolk.

Thank you very much indeed, Mr Betts, for calling me to speak. It is a great pleasure to serve under your chairmanship for a debate on an issue that may not be of crucial national importance but is extremely important for my constituency.

The Construction Industry Training Board has been based in Bircham Newton in west Norfolk since 1964. CITB took over a disused RAF station—RAF Bircham Newton—and when the then Government gave it the base, which comprises about 300 acres, the quid pro quo was that it would move the National Construction College and the training activities to Bircham and, basically, take over the jobs that had been supplied by the Ministry of Defence and the RAF. Today, about 600 jobs are based at Bircham and they are spread in roughly four ways, among the headquarters, the National Construction College and other colleges, the card scheme call centre and the awarding body.

CITB raises about £300 million in income every year—in fact, the amount for the current financial year is £307 million—of which I believe 63% comes from the levy, authorised by Parliament, allowing CITB to raise money from the industry. That money is used on the grant scheme and charitable activities; in fact, CITB is a registered charity.

I am delighted to see that it is the Minister for School Standards who will respond to this debate, because although he is not the Minister responsible for this issue, his position means that he takes a great interest in the whole apprenticeship and skills agenda. The construction and civil engineering sector is a vital part of our economy. In order for it to be able to compete internationally and deliver the highest possible safety and skills, it is necessary to have an organisation such as CITB and, indeed, a levy, without which CITB would not be able to raise money from the industry.

I will not go into too much detail about why we need CITB, because I want to concentrate on its “Vision 2020” and what will happen in the future. Before doing so, however, I will just say a word or two about the proposal’s profound impact on my constituency. King’s Lynn in the centre of my constituency is a town of about 40,000 people and it is surrounded by many remote rural villages. Bircham is about 10 miles from King’s Lynn and CITB is a very big employer in a remote rural area. It provides high-quality jobs, and the links to the community, which have been established over all the years that CITB has been at Bircham, are extremely significant, because CITB has been excellent in its outreach to the community and in putting in place its community social responsibility.

Of course, there is also the multiplier effect, because an organisation employing that number of people on good wages in a remote area will have a profound impact on suppliers and on the small and medium-sized enterprise sector. That multiplier effect underpins probably at least as many jobs as CITB offers directly, possibly many more.

There has been a really important link between the community of west Norfolk, my constituency and CITB. I also suggest that there has been a covenant, as it were, between CITB and the local area, because we have supplied it with a truly excellent place to do business, to carry out its training and to locate its headquarters; in turn, CITB has made investments in the area. That covenant between CITB and the local area is based on trust and partnership.

As the Minister will be aware, in 2017 a consensus process was carried out and, furthermore, Her Majesty’s Government carried out an industrial training board review. One of the conditions of CITB raising the levy, through statute and under parliamentary control, is that it needs to build consensus with the industry and get its support.

Obviously, the consensus process takes place regularly, and in 2017 consensus had to be built with the industry at a time when many smaller firms were finding the levy onerous, and a number of larger construction and civil engineering businesses were making it very clear that they wanted CITB to change. They all took the view—and I think the Government did, too—that CITB was underperforming, had rather lost its way and needed a new vision. The result was last year’s CITB’s “Vision 2020” paper and recommendations.

CITB submitted a business plan to adopt a simpler and more streamlined way of working, and described it as “levy in, skills out”. It wants to become an oversight and an enabler, rather than a direct provider of different services. Part of the process of building “Vision 2020” is to exit direct training. At the moment, CITB provides the training itself through the National Construction College and other colleges, which are incredibly impressive. They operate out of a number of buildings in Bircham Newton, some of which are former RAF hangars and ideal for different types of training, including bricklaying. Outside those hangars—indeed, on the airfield itself—CITB can provide scaffolding training and heavy plant training. There is a huge amount of space and the National Construction College is a world-class college.

I certainly find it regrettable that CITB is going to exit direct training, because there is a cadre of really impressive instructors and support staff at the National Construction College. I understand the arguments—although I do not agree with them—that the CITB should exit direct training to become an overseer and an enabler.

The second part of “Vision 2020” is to hive off CITB’s non-core activities, such as the card scheme and the awarding body, and the third part is to co-locate the headquarters. Currently, CITB’s headquarters are split among Bircham Newton, London and a few satellite offices. Let us look at each of those in turn.

I have already mentioned the National Construction College and the world-class activity that goes on there. Any Minister who visits it can only be impressed at the calibre of the instructors, the ethos of the place and its reputation for delivering top-class training. Furthermore, a lot of money has been spent on the college’s training facilities, the hangars and the other support facilities, as well as on the student accommodation, which is...
obviously vital. If the aim is to attract students sponsored by the different construction firms, those students require good accommodation and a lot of money has been spent on that in recent years.

I think that moving away from direct training is a bad decision and I believe that a more confident, better-run and better-managed organisation would have had the presence of mind to have made the case for retaining the direct training provision. However, that argument has now moved on, leaving, unfortunately, a great deal of uncertainty among the cadre of instructors and support staff, who feel they have been very badly let down. On the other hand, there are many construction and civil engineering businesses out there that I think will consider taking on that contract. I have spoken to plenty of firms that have great trust in Bircham and I think they will put in a bid to take on the contract to provide training.

Let us have a look at the other parts of “Vision 2020”. The card scheme and the awarding body are non-core activities and will be sold off. In fact, the awarding body has already been sold off to a larger business, which has moved it to an innovation and technology centre in King’s Lynn. That is very good news indeed and there is no reason why the card scheme, which is based near a call centre, cannot stay in the area, too. The prospects are promising and I am working with CITB to ensure that that process makes progress.

As I have said, the headquarters are currently split among mainly London, Bircham Newton and a number of satellite offices. There has been a consultation on moving the headquarters, and CITB says that it wants to co-locate them. I absolutely get that argument because split headquarters do not enable the best possible streamlined management that we would expect. Unfortunately, the consultation has been extremely badly handled and the staff have been let down in many ways. Had there been a better consultation, the current situation of really poor staff morale might well have been averted. For example, at the start of the consultation process, incorrect letters were sent to a number of employees. According to middle management and the unions, which have proposed an alternative plan, that has led to a huge amount of stress and confusion. I certainly believe that that could have been avoided.

In its paper of 25 June, CITB makes the case for new streamlined headquarters. I get that, but I do not understand why it says that they cannot be at Bircham. It says that they need to be moved to a new location, away from Norfolk, that has better communications and a better pool of skills, and which clients, industry and the Government are able to reach more effectively and efficiently. Middle management and the unions made an alternative case for keeping the headquarters at Bircham, which I support 100%. At this juncture, for CITB to move from headquarters that it owns and has recently spent a great deal of money on makes no sense whatsoever.

I will go through the main arguments for staying at Bircham. If an organisation owns somewhere and then sells it to move to another office it owns, I get that, but CITB says that it will sell the entire Bircham site and rent an office, preferably at Peterborough. I have nothing against Peterborough. My constituency has great economic links with the city and, indeed, with Cambridge and Norwich, but Peterborough is about 40 miles away. Yes, it has good communications, being on the A1 and having a main line rail service, but King’s Lynn also has a good rail service and, with modern working practices in place, and with the power of the net and more flexible working, there is absolutely no reason why the headquarters cannot stay at Bircham. Furthermore, the headquarters staff are trained up, highly motivated and know the area. They work in extremely congenial surroundings, on a former RAF base in beautiful countryside with the most fantastic views. Job satisfaction is incredibly high. They do not have far to drive to work—some probably cycle. It is a very happy atmosphere, which has been completely poisoned by CITB’s suggestions. What is worse, in the collective consultation’s supporting information the organisation has the nerve to say that middle management and the unions have not put forward an alternative location. They have, and it is Bircham. That statement is completely and utterly insulting.

Furthermore, staff must be kept on side. The process will be difficult and tough. If CITB moves out of direct training, it must have supportive and loyal headquarters staff who are motivated and who understand the organisation. What it has done so far is to collapse staff morale, creating real anger and bitterness, and I am very angry myself about how this has been handled. The organisation has been extremely badly managed, and at the higher level—middle management has done an excellent job—with an absolute absence of strong leadership and, indeed, proper vision. It keeps talking about “Vision 2020” but there has been no proper vision regarding how the organisation should move forward and, as a result, the staff are extremely angry. A new chairman has come in, Peter Lauener, for whom I have great admiration, but he has his work cut out. If the organisation is to recover in any way, shape or form, the decision must be reversed.

There are other arguments for staying at Bircham, which I will briefly put to the Minister. The first is that it is important to have a positive constructive relationship with the new training provider, whoever that might be—it could be one of the large civil engineering companies, or a further education college. The training contract is worth many millions of pounds—possibly hundreds of millions. If the headquarters move to Peterborough and all the current staff are either contracted out, as some will be, or do not move—the staff surveys show that very few want to—there will be new management and historic knowledge will be lost. The current staff will not be on hand to manage the important relationship with the new provider. There are bound to be teething problems with the new provider, with the protocols and the specifications, but it needs to be a partnership. If the headquarters are moved to Peterborough or elsewhere—such as Milton Keynes, or even down to the south coast—that staff will not be on hand to oversee and work alongside the new training provider.

Another important reason why CITB must stay at Bircham—in the short term, at any rate—is the oversight of the masterplan for Bircham Newton. I will not go into details, but my right hon. Friend the Minister can talk to my right hon. Friend the Member for Esher and Walton (Dominic Raab)—I am glad to say that he is now right honourable—who, when he came to Bircham the other day, as Minister for Housing, which includes responsibility for planning, was incredibly impressed by what he saw. I think he was amazed at how modern and impressive the buildings were, and really blown away by the site and all it had to offer.
The site is more than 300 acres and is divided in half by the B1153. The eastern part, which is probably half of the total acreage, has been completely underutilised historically and it has the most phenomenal potential for all sorts of exciting, dynamic possibilities. There could be some new housing or a science park, and there is no reason why we could not have an offshore wind farm academy. Along the Norfolk, Lincolnshire and Suffolk coast there are vast numbers of offshore wind farms and there is a burgeoning onshore service sector. However, we need skills and training in that sector, and what better place to locate a college than Bircham Newton? There could be demonstration eco-homes on that part of the site, provided by different construction and housing companies that would bring their trainees from around the country to work in an environment that would be highly conducive to improving those skills. There could also be supply chain centres of excellence.

To oversee such a great programme of reform and innovation, we need a strong input from CITB itself; we need to be on hand to oversee the masterplan. We have in place a taskforce of which I am a member, chaired by CITB and with the membership of the local councils, the borough council, the county council, the local enterprise partnership, the further education college and all the other bodies that really want to make the masterplan work. If we get that plan right, we will have something to be proud of. As the Minister knows, Norfolk and Suffolk have far too many disused RAF bases that have not had a masterplan and have been subjected to inappropriate development with no proper oversight or consistency, and all the things that can go wrong with ad hoc development on a brownfield site have gone wrong on some of those airfields. They are not places to be proud of. If we get this right we will have something we can be really proud of, but we need CITB on hand to work alongside the MPs—my right hon. Friend the Member for North Norfolk (Norman Lamb) and me—and the local councils, the LEP and so on. Getting it wrong does not bear thinking about.

What I suggest to CITB is a compromise arrangement. I will go along with plans to diversify training and sell off non-core activities, and I also support the plan to co-locate the two headquarters, but what I am saying to the incoming chairman, Peter Lauener, is that he needs to keep the headquarters at Bircham for at least three to four years. If he does that, he will not hollow out senior management, lose a huge amount of historic knowledge, go through very costly disruption or spend a lot of money that CITB probably does not have on renting new offices, and he will be on hand to oversee the training partnership and the masterplan.

What I find depressing is that the state of mind of CITB senior management seems to be such that it has made a decision and is determined to go, even though it says in letters that there is ongoing consultation on Peterborough and the preferred location for the joint headquarters. It says that is not a final position and that collective consultation remains open for the unions, middle management and elected employee representatives to submit for consideration any proposal that includes an alternative location. We have submitted exactly that—staying at Bircham.

Peter Lauener has two choices. He can either go ahead with this ill-thought-out, illogical move now—in other words, take a decision later this year and move towards the end of next year or in early 2020—or put things on hold and we can all see what the position looks like in, say, three years’ time. That would enable us to see how the training partnership and the masterplan develop. If the jobs are secured, would it be the end of the world if CITB then said, “We have overseen this great success story and are going to move to somewhere that is nearer to our client base?”

Alternatively, it can carry on with the current policy, which will result in the organisation going into meltdown. There will be a further, complete collapse in staff morale and a withdrawal of co-operation and good will from the staff. There will also be a significant backlash from MPs in the region and county, the local councils and the LEP. There will be a dissipation and destruction of that good will, which will make life very difficult for CITB. It will be difficult to continue its current “Vision 2020”. If CITB carries on like this, MPs will say that the organisation is not fit for purpose, does not deserve the levy and deserves to close down completely.

Will the Minister make it very clear that although he supports “Vision 2020”, Ministers do not have a strong view on the organisation moving to Peterborough or any other new headquarters? Ministers should listen carefully to what I am saying, call in the new chairman and make clear to him that he is in danger of presiding over a complete disaster area. A once proud organisation will fall completely, unless action is taken.

11.22 am

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) on securing this debate.

At the heart of our industrial strategy is having a skilled workforce that supports the continued development of our economy. The construction workforce is fundamental to that development—to building new homes, hospitals and schools and creating new jobs across the country. The workforce needs to be of a high quality, and the Construction Industry Training Board plays an important role in ensuring that the construction workforce grows and is trained to a very high standard.

I appreciate my hon. Friend’s concerns about CITB selling Bircham Newton as part of its wider reform plans, and I have listened carefully to what he has said. He made a compelling case for the CITB HQ to remain at Bircham Newton in his constituency. I can confirm that Ministers do not have a preference for where the HQ should be located. We support the reform programme and “Vision 2020”, which emerged from the industrial training boards review. I also appreciate that the local community is understandably apprehensive about the impact the reforms and this particular proposal will have on them.

CITB is an industry-led statutory body established under the Industrial Training Act 1964. It has a central role in training the construction workforce. It provides a range of services, including setting occupational standards, funding strategic industry initiatives and paying direct grants to employers who carry out training to approved standards. CITB is funded by a levy on British construction
firms in England, Scotland and Wales. The levy is approved every three years by a consensus vote of industry federations. There is a serious risk that without that levy-funded training, there would not be enough skills training in construction and the sector could face a serious skills shortage. Construction has a weak track record of investment in skills and is characterised by high levels of self-employment and the use of subcontractors. Indeed, those are two fundamental reasons why we have a levy and why CITB was established.

In the autumn Budget and the housing White Paper, the Government announced a target of building 300,000 new homes a year by the mid-2020s. That relies on having a skilled, highly trained workforce. The UK construction sector needs highly skilled people with the capacity to carry out that scale of work. CITB’s strategic oversight of construction skills training is critical in ensuring that.

A recent Government report on industry training boards concluded that industry training boards with levy-raising powers remain the right model to support the construction and engineering construction industries. It recommended that CITB reforms its operating model and re-focuses on addressing the market failure to train enough skilled staff. It saw the need for CITB to concentrate on driving improvements in skills and training outcomes in line with its statutory purpose.

The industry itself recognises the need for change. The 2017 levy consensus consultation saw equally clear calls from the industry for CITB to reform. In response, CITB announced a major reform programme on 15 November 2017. Its aim was to reposition and repurpose itself to deliver the skills required by the industry. The reform programme has three key elements: the divestment of CITB’s skills training sites; the outsourcing of back office facilities in line with public sector activity—including human resources and IT, among others; and the creation of a single, centrally located headquarters.

CITB will no longer directly train construction workers in its network of training centres located around the UK or run the industry-led construction skills certification scheme, as my hon. Friend referred to. At present, CITB has significant conflicts of interests as it is the provider of training and the body responsible for setting standards. Leaving the training market will allow CITB to focus on its core functions of market sustainability, quality and standards. Outsourcing back office functions will enable CITB to make substantial savings. It is standard practice. CITB will work with future providers to minimise any effects on staff.

CITB’s head offices functions are currently spread over seven sites. Unsurprisingly that results in duplication and inefficiencies, as well as creating an unwieldy decision-making process. Creating a single head office will streamline CITB’s decision making, as well as increasing business co-ordination and continuity. The location of the head office is important. CITB covers the whole of the UK. A central location therefore makes sense for practical and business reasons. As I mentioned earlier, as Ministers we have no view on where that central location should be.

On 27 March 2018, CITB opened a consultation on the creation of a single head office and its location. All parties that could be affected have been involved. CITB is consulting a total of 133 head office staff from the sites in London, Bircham Newton in Norfolk and Thurhamston in Leicestershire. The Norfolk site has the largest number of head office staff, as my hon. Friend said. There is local concern about the future of the site, and the consultation process is still open. On 4 July, CITB discussed its intention to proceed with the head office relocation with its affected staff. CITB remains open to any proposals that meet its long-term requirements.

I am grateful to my hon. Friend for highlighting the issue. There is a strong public interest in having a highly skilled and efficient construction industry. The country’s economic success and social progress rely on building more homes and delivering key infrastructure projects. We need a highly skilled construction workforce with the capacity to carry out the Government’s house building ambition and key infrastructure projects. CITB has a vital role to play in delivering that skilled workforce. It is crucial that CITB is able to deliver its reform programme to undertake that role and to retain the trust and support of the industry it serves. 

Motion lapsed (Standing Order No. 10(6)).

11.30 am
Sitting suspended.
Homelessness among Refugees

[SIR HENRY BELLINGHAM in the Chair]

2.30 pm

Sir Henry Bellingham (in the Chair): Before we start the debate, it might be of interest to colleagues that there will be a Division at half-past 3. If anyone would like to remove their jackets, they are welcome to do so.

Kate Green (Stretford and Urmston) (Lab): I beg to move,

That this House has considered homelessness among refugees.

It is an enormous pleasure to lead the debate under your chairmanship, Sir Henry. I draw the House’s attention to my entry in the Register of Members’ Financial Interests on the financial support I received for research capacity in my office in relation to my work on asylum seekers, refugees and migrants. I apologise that that notification was not given in advance of the debate—I very much regret that omission.

Many of the debates that we have in this place regarding refugees and asylum seekers concentrate on the process of applying for refugee status. Prolonged delays, poor decision making, the irrational and cruel use of immigration detention, and the meanness of financial support provided through the National Asylum Support Service all rightly attract fierce criticism. However, what receives less attention—and this is the issue I wish to raise in today’s debate—relates to what happens when someone has the good news that they have been granted refugee status.

It is deeply concerning that even once asylum is granted, many refugees continue to experience homelessness and hardship. The homelessness charity Crisis reported that in 2016-17, 478 people—7%—of those who approached it for help—had nowhere to live after leaving asylum accommodation. That was more than double the number in 2014-15. In a sample of night shelters over the winter of 2017-18, the No Accommodation Network report, “Mind the Gap”, which was published in May, found that 48 out of 169 people requiring emergency accommodation were refugees. In one shelter, 50% of the refugee guests had left asylum accommodation within the previous six months.

John Howell (Henley) (Con): The hon. Lady raises a list of things that surprise people regarding how refugees are treated. Does she share, as I do, the concern expressed by the recent Jesuit Refugee Service report on the discredited nature of information about refugees’ home countries? Given the breadth of our Foreign Office’s reach, how does she think that has come about?

Kate Green: It is obviously not the same for every single country or every individual asylum case. It is important that we recognise that our obligation to give refuge is shaped by international treaties and conventions that we are long signed up to, and which look on a case-by-case basis at the danger that an individual faces in their country of origin. We need to be clear that we have a robust decision-making process that properly assesses that danger, and be confident in presenting to the country that our process works well. Sadly, at the moment, delays and poor decisions mean that often it does not.

For those who gain refugee status, there is an issue of becoming homeless once they are recognised as refugees. The Refugee Council interviewed 54 refugees for a study in 2017, and found that none had secured accommodation by the time they left asylum accommodation, and that more than half had slept rough, or in a hostel or homeless shelter, after being granted status. The decision to grant status—a moment that should represent relief from fear and the chance finally to rebuild a shattered life—can instead become the start of a new nightmare.

The problem lies fundamentally in the incredibly short move-on period, which allows refugees a mere 28 days to leave Home Office accommodation after they have been granted refugee status, and to move from NASS to mainstream benefits. In that time, they must obtain their national insurance number, open a bank account, receive their biometric residence permit, navigate a complex benefits system, and find somewhere to live and, if they are able to work, a job, while settling into their new life. For many—mentally traumatised, struggling with poor English and disconnected from mainstream services—it is simply too much to cope with.

Gavin Robinson (Belfast East) (DUP): The hon. Lady is making entirely the right points. In 2015-16, Northern Ireland had more than 100 refugees who we believed were in destitution. Is she aware that Belfast City Council commissioned the Law Centre of Northern Ireland to produce a refugee transitional guide? The Select Committee on Work and Pensions recognised that guide as describing best practice, and asked the Department to distribute it right across the United Kingdom so that when people find themselves navigating that system and process they get the best advice and help possible.

Kate Green: I am aware of the work of the Northern Ireland Law Centre, which was one of a number of organisations that helpfully briefed me for the debate. As the hon. Gentleman says, that guide is an extremely useful resource.

Although voluntary groups are providing such resources, the system is fundamentally making things harder for refugees. Their first universal credit payment will not be made for more than a month. Although advance payments are available, they cannot be paid until someone has a national insurance number and a bank account, and their availability appears not to be well signposted by either the Home Office or Jobcentre Plus. Meanwhile, local housing allocation rules may not give priority to new refugees, particularly those who move into a new area to be with other members of their community. Those factors are placing refugees at grave risk of homelessness and destitution.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate the hon. Lady on securing today’s debate. It must have struck all of us in the Chamber that any of the challenges she has outlined that refugees face in beginning to engage with life in the UK—whether it be opening a bank account, getting a national insurance number or accessing appropriate healthcare—would be difficult for a British citizen to do within a 28-day period, let alone somebody who may not have English as a first language and who may well have a number of complex needs and family needs related to the reason
they were granted refugee status in the first place. Does she agree that the key, take-home message from the debate is that the 28-day period needs to be reviewed, and the Government need to do more to facilitate extra support for a very vulnerable group?

Kate Green: I very much agree with the hon. Gentleman. Those points will be the thrust of the remainder of my speech.

Neil Coyle (Bermondsey and Old Southwark) (Lab): I congratulate my hon. Friend on securing the debate. I am glad that she mentioned the 28-day move-on period, which the all-party parliamentary group on ending homelessness also recommended scrapping. Does she share my hope that the Minister will accept that recommendation for inclusion in the strategy, which is due by the end of the month?

Kate Green: I do, and I will be very interested to hear the Minister’s response.

I am grateful to charities and individuals who have shared stories to illustrate what it means for those who become refugees without either the resources or the home they need to rebuild their lives. The Boaz Trust, with which I have had the privilege of working in Manchester, told me about what happened to Mohsen, a 28-year-old man from Iran who arrived in the UK in 2015 and was found asylum accommodation in Manchester. He says:

"I left NASS in January 2018. They let me stay on for two more weeks because they knew I didn’t have anywhere to go. Then I stayed outside for 2 nights. It was very cold. After that I stayed in a shelter. After 3 weeks the NASS support stopped. Then after maybe three weeks my money came in from the Job Centre... When I left my NASS accommodation, I went to the council and registered with housing. I knew to do this because I have been here a long time. They said I am not priority, and I cannot have any hostel place. I applied for housing and I waited two months... At first the Council say there will be something in 4 weeks, then 8 weeks. In that time, I stayed at Boaz night shelter. Now I am in hostel and I am waiting for a house. I am bidding every week. It was hard staying in the night shelter, staying in different areas every night. During the day I have nowhere to go".

Sadly, that is far from an untypical story.

Paul Blomfield (Sheffield Central) (Lab): My hon. Friend is describing a situation that we certainly experience in Sheffield. Voluntary organisations and charities that work with refugees have identified another growing problem that is contributing to homelessness, which is an increasing number of people getting discretionary leave to remain. They are falling through the middle—they lose out on the support they were getting as refugees but do not have recourse to public funds. Does my hon. Friend recognise that that is another serious problem that the Government need to address?

Kate Green: I am grateful to my hon. Friend for raising that matter. It cannot be right that we allow anyone to be destitute in this country, whatever circumstances they find themselves in.

Mohsen’s story is far from untypical and the situation is even more dire for families with children, sometimes creating serious safeguarding issues. Asylum Matters told me about Hoa, who was trafficked from Vietnam and received refugee status in November 2017 after going through the national referral mechanism. Less than one month later, his daughter was born. The family survived on £35 per week in asylum support, but that stopped and he did not know how to apply for benefits. When he tried to find a home, the council told him he would need to find private rented accommodation. The private landlords all wanted a deposit or guarantor, which he could not provide because he had no savings. An integration loan could have helped him, but he was refused a loan by the Home Office, which claimed he was already integrated because he had been here for a long time. That meant he could not secure a private tenancy because he had no money to pay for the deposit. He and his baby daughter were destitute for nearly four months, forced to survive on the charity of friends for food and milk and somewhere to sleep—on their floor.

Such cases are cause for enormous concern. I am glad that the Government have accepted that there is a problem and have attempted a number of measures to deal with that, but although it is a pleasure to see the Minister in his place this afternoon, I am a little disappointed that the debate is not being answered by a Home Office Minister as I requested. Fundamentally, we need cross-governmental action to address a mismatch of policies across different Government Departments and the failure of any one Department to own the problem. I believe the Home Office should be taking the lead in joining up policy and procedures. I hope the Minister will share the breadth of my concerns with all of his ministerial colleagues.

Tim Farron (Westmorland and Lonsdale) (LD): The hon. Lady is making some excellent points. Does she accept that she does—that a contributory factor to refugees being in severe hardship once they have been awarded status is that they are not permitted to work during the time that they are here? Would it not be better, not just for them and their families, but for the country, if they were able to potentially build up savings and contribute and pay taxes during the time they are waiting for their asylum case to be heard, so that they are ready to be fully fledged members of our society at the point at which they are given status?

Kate Green: I am grateful to the hon. Gentleman for making that point. I strongly support the right of asylum seekers to work when the Home Office has singularly failed to meet its own obligations to process cases and make a decision within the given timescale. As the hon. Gentleman says, allowing them to do so would enable them to maintain their skills, build up some savings and remain connected with the wider community. Although that may not be a matter for today’s Minister to address, it is certainly one that I strongly support.

Let us consider what action has been taken to date by the Government, because some initiatives have been welcome. The Home Office is rolling out the post-grant appointment service to smooth the referral to Jobcentre Plus for making an initial benefits claim. That follows a pilot in two regions last year, but there were some reports of problems. During a two-week period in February, the refugee support team at the British Red Cross asked 20 individuals in South Yorkshire about their experience of the warm handover pilot. Only one individual stated explicitly that they had received a phone call from Migrant Help, which provided the service. Eight individuals said they had not received any contact, while 11 were
Kate Green:

unsure whether they had. It may be that those are isolated cases, or that problems have since been resolved, but in a parliamentary answer to Baroness Lister on 29 June, Baroness Buscombe refused to publish the results of the Government’s evaluation of the pilot.

Although the commitment to provide advice and support to new refugees in the move-on period is a welcome addition to the new advice, issue resolution and eligibility contract, charities have seen communication from the Home Office that suggests that the support will be limited to operating the post-grant appointment service only. Advice and guidance in the move-on period must be more comprehensive if it is to address the issue of refugee destitution. In particular, closer working between the Government and third-sector providers is needed. I urge the Minister to encourage ministerial colleagues to publish the evaluation report on the post-grant appointment service pilot and to ensure that the lessons about the wider advice needs of refugees are acted on.

Of course, I am pleased that 35 asylum support liaison officers are now being appointed in a number of local authorities, funded by the controlling migration fund, but it is not clear how their work will be monitored and evaluated. I hope the Minister will say more about that this afternoon. The Government’s integrated communities fund is also intended to provide support for refugees, but again there is little detail as yet on how it will do that. Perhaps the Minister will be able to enlighten us.

It is welcome that national insurance numbers will now be included on the biometric residence permits that refugees receive. Usually, though not invariably, they arrive within a matter of days. That is helpful, because a national insurance number is required for payment of universal credit, although it is not necessary for making an application. The payment is essential for new refugees to pay for, among other things, their accommodation.

Significant problems continue with the issue of national insurance numbers. Some 65% of the new refugees seen by the British Red Cross in South Yorkshire over a two-week period in February during the move-on period had not had an application made to the Home Office for a national insurance number. Those who do not have one must complete the application process over the phone, which often takes 40 minutes. Apparently, 10 questions are asked at the start of the process before the individual is offered the services of an interpreter. Following that phone conversation, the new refugee has to attend a face-to-face appointment before the national insurance number is issued.

Those who lack a national insurance number include people who have joined a partner in the UK under the Dublin rules on refugee family reunion. The result is that sometimes quite large families are struggling to survive on the income from one single parent’s jobseeker’s allowance claim for six weeks or more, while their partner awaits their national insurance number. I have raised this issue previously with Home Office Ministers, but the problem remains unresolved.

Ultimately, this all places unnecessary barriers in the way of enabling new refugees to settle, receive benefits or wages and access suitable accommodation. Can the Minister say anything about what conversations are taking place across the relevant Government Departments to streamline and support refugees and to ensure that national insurance numbers are always issued swiftly and smoothly?

The Minister will be glad to know that I am now firmly in his ministerial territory. The Homelessness Reduction Act 2017 should be helpful, but its operation needs to be clarified and extended for refugees who are homeless or at risk of homelessness. Under the Act, from this October public authorities will be required to refer those at risk of homelessness to the local authority. That provision should be extended to cover providers of asylum accommodation.

Andy Slaughter (Hammersmith) (Lab): I am glad my hon. Friend has mentioned the Homelessness Reduction Act. I led for the Opposition on that. There was a healthy degree of consensus then, as there seems to be in this debate. Is she, like me, looking for an assurance from the Minister that that consistency will now apply to extending the 28-day period to 56 days?

Kate Green: In a moment, I will ask the Minister exactly that.

Newly homeless people can get easement from job search requirements, being asked to focus instead on basic actions such as finding accommodation. That is at the discretion of their Jobcentre Plus work coach. It is not clear whether new refugees will be able to access a similar concession. In addition, refugees are treated as tier-two priority for alternative payment arrangements under universal credit. Alternative payment arrangements would mean, for example, that rent could be paid directly to their landlord, potentially making it easier for them to secure a tenancy. Will the Minister confirm whether any discussion is taking place between his Department and the Department for Work and Pensions on reprioritising refugees as tier one for alternative payment arrangements and on granting them easement from work search obligations so that they can concentrate on looking for accommodation?

Although the changes made to date are welcome, more is clearly needed to make them fully effective. The most important policy change to make, however, as has been alluded to around the Chamber this afternoon and which would ensure that newly recognised refugees do not end up destitute and at risk of homelessness, is to maintain Home Office support until mainstream benefits are ready to start, by extending the 28-day move-on period.

I am aware that on 3 July Baroness Williams claimed in a written answer to Baroness Lister that NACCOM’s “Mind the Gap” report “does not show that these problems will be resolved by extending the 28 days period”, but Ministers must be aware that there is widespread agreement among campaigners and, it would appear, in this House that it would do so.

At the very least, the move-on period should not start until someone receives all documentation, including a national insurance number, but I invite the Minister to be bolder. The Homelessness Reduction Act extends to 56 days the period during which someone can be deemed threatened with homelessness, and the universal credit waiting period is five weeks. The move-on period should be extended in line with those timescales—to have it otherwise is perverse and illogical.
In conclusion, the Government have more to do to ensure coherent, whole-system support across national and local government for those newly granted refugee status. We can be proud to give refuge to those who flee persecution and seek safety here and proud that refugees are welcome in our country, but too many begin their lives here in penury, and the system is to blame for that. Today, I hope that the Minister will take the chance to tell us the steps the Government will take to improve things.

2.51 pm

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Sir Henry.

I commend the hon. Member for Stretford and Urmston (Kate Green) for securing the debate. I also pay tribute to my intern, Gillian Hughes, who is working with me for a few weeks and helped to prepare for this debate.

Given the complexity of Home Office procedures and the conscious decision of this Government to create a hostile environment, it is not surprising that so many asylum-seeking constituents come to me for support with their cases. However, it is even less palatable to know the new range of problems that refugees often face after going through the harrowing process of achieving leave to remain, not least the loss of their financial support and accommodation within only 28 days of a successful decision from the Home Office.

I am in the process of moving house and I can testify that it is a stressful event, even when done voluntarily and with the chance to prepare financially, so imagine trying to do it within 28 days, after having been restricted to not working, while surviving on an income of £37.70 per week and despite language barriers, unfamiliarity with the area and often no support network. In such circumstances, homelessness is a real threat.

It stands to reason that support from the National Asylum Support Service ends when someone is no longer in the process of claiming asylum. However, that should be a managed transition over a reasonable period of time. To end support abruptly makes it extremely difficult for new refugees to move forward, and places a burden on other Departments, local authorities and charities that are already at breaking point.

Last month, I held a special asylum and refugee surgery in Cranhill in my constituency in conjunction with a fantastic Glasgow charity called Refuweegee. It provides practical support in the form of donated clothing, food, toys and other necessities, and it collects welcome letters written by people from all over the city to our newest Glaswegians. One such letter that struck me recently was from a wee girl called Kiera. Kiera had written a beautiful note: “Please don’t worry, you are safe now.”

How do we explain to Kiera that of 54 refugees interviewed by the Refugee Council in September last year, not one had found secure accommodation by the time their asylum accommodation was withdrawn, and half of them had been forced to sleep rough or in a night shelter?

Local authorities normally consider homelessness to be imminent if someone is within 56 days of it becoming a reality. Refugees, however, are expected to be able to move on within only half that time. It is not a practical timeframe to impose on some of the most vulnerable within our communities, especially if the Government are serious about their pledge to halve rough sleeping by 2022 and to eliminate it by 2027.

A secure home, as I am sure everyone in the Chamber agrees, is the cornerstone of building a new life and establishing roots. Housing insecurity is a major barrier to education, employment and integration. For example, at the weekend I met a Baillieston constituent, Agatha Mazengera. Recently Agatha was granted refugee status. She has already passed her 28-day mark, but she has not yet been able to secure a permanent home.

Agatha and her daughter have been moved, temporarily, to a bedsit in the opposite end of the city to where their asylum accommodation was. Agatha was very active in her former neighbourhood, as part of the parent council and parent teacher association at her daughter’s school, and as a member of the local church. She tried to keep some sense of familiarity for her daughter by continuing to travel across the city for school each day, but sadly, after a while, that became unworkable. Agatha’s daughter Mychaella therefore had to leave behind her friends at a crucial time in her education, and had to start again at a new school. The ongoing uncertainty about their living conditions means that Mychaella may have to move school yet again. A managed transition, with some professional support would have enabled that family to continue to contribute to the community of which they had become such valuable members.

A leave to remain decision might enable someone to stay in the country, but as the system stands, a clock starts to tick, giving a mere 28 days for people to find work and leave what has been in essence their home. To that is a tall order when they have been living hand to mouth, have no savings and often do not even have a bank account, and are learning a new language. I have no doubt that the majority of new refugees are as keen to move to a stable home and into work as the Home Office is for them to do so. We must therefore move away from the culture of hostile practice and provide a bit of support to do that.

We must take some simple, common-sense steps to reduce unnecessary incidences of homelessness or transient housing caused by that unrealistic timescale. Allowing 56 days to move on and providing access to mainstream homelessness prevention services could dramatically increase people’s chances.

Neil Coyle: Even when refugees play by the rules and do the right thing, Home Office error often leads to complications that end up with people being made homeless. That happened to Mr Musari and his family in my constituency. It took two years to overturn a mistake by the Home Office. Would it not be simpler to reverse the retraction of legal aid under the coalition Government, so that civil legal aid was available to refugees and others subject to Home Office decisions or affected by Home Office policy?

David Linden: The hon. Gentleman’s intervention chimed with some of what I see in my constituency, such as issues with legal aid, in particular in devolved areas. It can only be even more difficult for the Home Office if it is not following its own procedures. That is a very valid point to make.

Allowing 56 days to move on and providing access to mainstream homelessness prevention services could dramatically increase the chances of people finding a suitable longer-term property. Being awarded refugee status should, at the very least, mean a fair chance

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of having a place of refuge. As refugee in Glasgow states, “We’re all far somewhere”, but right now our asylum accommodation system is failing people and leaving them with nowhere in the world to call home. I think everyone in this place would agree that we must do better.

2.58 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): It is a pleasure to serve under your chairmanship, Sir Henry, and thank you for calling me to speak. It is pleasure to speak in this debate, and I pay tribute to my hon. Friend the Member for Stretford and Urmston (Kate Green) for her powerful speech.

A local Member could pick up many issues to champion in this place. As well as fighting for workers’ rights, for a better deal for the people of my constituency and for a Labour Government, I have chosen to focus in part on refugees and the crisis that they face throughout the world. Earlier this year, I led a Westminster Hall debate about refugee family reunion. It was a good debate, with colleagues from across the House making sensible and at times moving contributions about the situation that refugees, often women and children, are facing here and in other parts of the world.

Let us be clear that those seeking refuge are fleeing violence, famine, disaster and oppression, and they deserve the right to something that we all have and that we fight for for our constituents—a safe, secure and long-term home. The crisis facing refugees has many elements, and the homelessness element is key. The Refugee Council noted that for many years the refugee sector has highlighted the high rate of homelessness among new refugees who have recently been granted status in the United Kingdom.

Almost 160,000 households experience homelessness across the United Kingdom, and around 9,000 people sleep rough on our UK streets on any given night. We see that in London and in Westminster, and I have seen it across Scotland. The high rate is caused by the short period in which new refugees are expected to move into mainstream accommodation. That is made far more difficult by the pressures on local government and housing associations, which have seen an increase in homelessness across the board. There are delays in accessing the social security system that is there to support those without.

We have all seen the Tory Government’s sustained and at times inhumane welfare policy, which has simply made things worse. Let us look at personal independence payments, universal credit, the cuts to housing benefit and the sanctions dished out for not turning up to work or an interview. Brexit chaos—a disaster made in Downing Street and in the office of the hon. Member for North East Somerset (Mr Rees-Mogg)—will make it even more difficult for refugees to secure the support and training needed to enter the workforce. Getting a job at all will be difficult if we crash out of the European Union as many on the Government Benches would like us to.

We have to act; we have to deliver; we have to do more. Members from all parties will agree that we need improvements to the way we support refugees and honour our responsibilities to the most vulnerable. I would like the Government to give this House and millions of people in our United Kingdom and across the world the assurance that Britain will focus on our responsibility to vulnerable women, men and children who come to Britain seeking peace and safety.

I wrote to the Minister for Immigration following the debate I led in February 2018, but I still have not had any reply, despite sending several follow-ups. No response. That is disappointing, and I hope my requests for information and answers will not be ignored today. In the context of the Government’s recent integrated communities Green Paper, what specific measures will they take to address refugee homelessness in this country? What discussions have taken place with the devolved Administrations in Cardiff and Edinburgh and with the Secretary of State for Northern Ireland to ensure that there is a co-ordinated response to this crisis across our United Kingdom? What discussions have taken place with housing associations to see how they can assist with the provision of safe and affordable homes for those who need one? What discussions have taken place with the Local Government Association to identify what support local government needs to be able to play its part? Finally, what thought has been given to introducing rental controls so that rogue landlords cannot lead us into a race to the bottom?

The housing crisis in our country needs addressing immediately. Hon. Members from all parties in this House know that this Government can act. I see a lot of young people sitting in the Public Gallery; they know what the housing crisis is like. Let us give them all a chance.

3.3 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I thank my hon. Friend the Member for Stretford and Urmston (Kate Green) for opening the debate. Many people have been shocked by the recent report from the No Accommodation Network, which found that 28% of guests of its night shelters were refugees. But that statistic is not surprising when we consider what this Government have done to restrict and dispossess refugees in this country.

I am not surprised by the statistics, since asylum seekers are not allowed to work and are forced to rely on state support of just £36.95 a week. I would be unable to live on that and I suspect that many people present would be unable to live a decent life on that, either. When claiming asylum, refugees are given no choice of accommodation or location; they are nearly always placed in hard-to-let properties where other people do not want to live and conditions are poor—damp and mould are rife. They are not the kind of conditions in which I, hon. Members or members of our community would expect to live, so why on earth do we put some of the most vulnerable in those kinds of properties?

The Home Office gives those newly granted asylum fewer than 28 days to start a new life, to leave accommodation and find housing, benefits, employment and a national insurance number. I am not surprised by that, because this Government have a hostile environment policy. The report found a direct link between this Government’s failed move-on policy and the high amount of homeless refugees in the UK. There is a direct link between this Government’s inaction and the more than 17,000 people who approached the charity Crisis last
year with nowhere to live after leaving asylum accommodation. That figure has more than doubled in the three short years since 2015.

I am not surprised by the report, because the end game of this Government is an immovable commitment to the politics of restriction. Restrictive policies are designed to prevent and deter individuals from seeking asylum, and to be less welcoming and deny safety to those who need it most. It is precisely because of those policies that we need to have this debate. Why do refugees account for 28% of those in night shelters for the homeless, when refugees account for just 0.25% of the population? Why do refugees deserve less?

Some people claim that refugees do not deserve the same rights as British-born people. Some people say that refugees present a threat to our sovereignty and our security, because anyone who reaches the border is clearly a threat. The reality, however, is that it is the dangerous fanatics who are a threat, so why are this Government pursuing policies that those fanatics would applaud? Rights are not claimed by virtue of being British born or even of having citizenship, but by being a human being. The UK has signed up to commitments that we must fulfil. As a human right, the right to a decent place to live is no exception.

The Government must take steps to ensure that the Homelessness Reduction Act can be extended to refugees and that it is properly enforced, particularly in respect of support for an extra number of days. The Government’s inaction is drastically out of sync with the efforts of certain Departments to prevent homelessness and reduce rough sleeping in other parts of the population. How can we claim we have made progress if we have not supported the most vulnerable in our society? Refugees escape war, torture and see the most horrific things imaginable. They deserve to be welcomed and to be given decent accommodation.

Under the last Labour Government, the refugee integration and employment service offered 12 months of support for refugees’ access to housing, education, social security and the job market.

Thangam Debbonaire (Bristol West) (Lab): I thank my hon. Friend for mentioning the last Labour Government’s refugee integration strategy and the comprehensive plan for employment and support. Is he aware that that strategy was cancelled by the Liberal Democrat-Tory coalition Government in 2010?

Lloyd Russell-Moyle: Exactly—it was cancelled by the Conservative-Liberal coalition, to treat some of the most vulnerable in our society worse. The refugee integration and employment service was not perfect, but rather than building on it and improving it, the Conservative-Liberal Government scrapped it entirely, in a disgraceful move. I add my voice to those asking the Minister: will he ensure that people who are granted asylum are given the 56 days outlined in the Homelessness Reduction Act to find accommodation? If he commits to that today we will have started to take decent steps forward.

Over many years, Conservative Governments have given in to the demands of their populist right and the UK Independence party. They peddle the same myths and scare stories about migrants, refugees and people who claim asylum. Let us have an end to that. Why do the Government not stand up to that today? Last year we gave 10,000 people refugee status. Every minute that they wait in poor accommodation is a minute too long. We need change and we need compassion. We need to enable refugees to contribute to our society, and the way to do that is to contribute to their wellbeing and provide decent housing. It is not too much to ask. I beg the Minister to take action.

Sir Henry Bellingham (in the Chair): The hon. Member for Brighton, Kemptown has made a passionate and impressive speech. He wrote to the Chairman to say that he would not be here for the wind-ups because he has to go to a Select Committee. Is that still the case?

Lloyd Russell-Moyle: Yes.

Sir Henry Bellingham (in the Chair): He has apologised to the Minister in advance. I now call Thangam Debbonaire.

3.10 pm

Thangam Debbonaire (Bristol West) (Lab): It is truly a pleasure to serve under your chairmanship, Sir Henry, and to follow my hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle) and others who have all made such great contributions. I will not repeat what others have said. I will move on to a specific aspect, which, I am afraid to say, is possibly outside the Minister’s area of responsibility. None the less, it is entirely relevant to the topic under discussion: the right to work.

First, I thank my hon. Friend the Member for Stretford and Urmston (Kate Green), who is chair of the all-party group on migration, for securing this important debate and for working so closely with me as chair of the all-party group on refugees. We work closely together and I am very pleased about that.

I launched the “Refugees Welcome?” report just before the general election last year. The APPG on refugees produced it after an inquiry of many months. We took evidence from refugees, refugee organisations, local authorities and health organisations. There are copies available: my office has paper copies, but it is also online. We looked at various things, some of which the Government have now taken up. I am pleased about that and I thank them for doing so. For instance, the issue of national insurance numbers—my hon. Friend mentioned their inclusion in documents—was holding up many refugees needlessly and pointlessly, but that is supposed to have been sorted out now. I am still getting evidence that it is not completely fixed, but at least the intention is clear.

On the 28-day move-on period, we kept finding more and more egregious examples of how it ended up turning into destitution and homelessness. The impact of detention and the two-tier system between the resettlement scheme and refugees who come via the asylum route have also been mentioned. That is not directly relevant today, but some of the things we picked up had a specific impact on homelessness. As my hon. Friend has said, the 28 days turns from delirium to despair. The news that someone is being given refugee status should be a day of joy and celebration, but for many refugees it very quickly turns to despair when they realise that they will become either homeless or destitute—or both—within 28 days, for reasons that others have mentioned.

Our report recommended a move to 56 days, which would be coterminous with the universal credit timetable, so it makes sense. I urge the Minister to urge his colleagues at the Department for Work and Pensions to
reconsider the matter, because that would be most useful. I must thank Jon Featony, previously of the Refugee Council but now of the Red Cross, for his help with the report, particularly the careful drafting.

On the right to work, I thank Forced Migration Review for its June 2018 edition on refugees and economies. Such a focus would really help to prevent refugee homelessness. Even though the issue is a DWP competence, it is relevant to the Minister’s work at the Ministry of Housing, Communities and Local Government. I also refer him to the fact that the integration strategy—it is not a refugee integration strategy, which I would like—is part of MHCLG’s competence, and I want him to re-examine that strategy’s specific impact on refugees.

The 1951 convention relating to the status of refugees affords refugees the right to work. I want to be clear: our legal obligations require us to give refugees the right to work. When we give refugee status, they are able to work. However, there are problems with waiting until that point. Nearly half of the 145 states that are party to the convention declare reservations in applying the right to work. Even those that do apply the right to work usually impose conditions and limitations. There is very little consistency in implementing the right to work and there are significant variations among those countries.

We should consider some examples of good practice in order to help prevent refugee destitution and homelessness. Jordan, a non-signatory country, provides a quota of work permits. Turkey is not a particularly wealthy country, but it has 3.3 million refugees and they can apply for work permits after six months. In Chad and Uganda, refugees are allowed to settle in host communities and some are granted arable land for agricultural purposes. In Ethiopia, the International Labour Organisation, the United Nations High Commissioner for Refugees and the Government of Ethiopia collaborate on an out-of-camp policy, which relaxes conditions of residence and movement so that refugees can work. They can set up their own businesses both inside and outside camps.

In Kenya, community organisations help refugees with language classes and links to employment and support. In the UK, various businesses are active, including Starbucks, Ben and Jerry’s, IKEA and, I am sure, others. I declare an interest, because I hosted a dinner recently for Starbucks to discuss its refugee employment programmes. I urge right hon. and hon. Members to consider the role played by private industry. When private industry wants to take a responsible role, we should welcome that, and I do.

In Bristol, as in countries across the United Kingdom, volunteers and campaigning groups such as Bristol Refugee Rights, Borderlands, Bristol Hospitality Network and others do fantastic work to prevent refugee homelessness and to help refugees into work in order to prevent homelessness and destitution. Yet refugees and asylum seekers tell me of their frustrations at not being able to work sooner and of the gaps that lead to unemployment.

Alex Sobel (Leeds North West) (Lab/Co-op): While people wait for a decision, after 12 months they can apply to work but only in jobs on the shortage occupation list. Is that not one of the barriers? Should that stipulation be dropped?

Thangam Debbonaire: I am grateful to my hon. Friend for that intervention because he has saved me from making that point later. I absolutely agree with him. I urge the Minister to take what key recommendation to his colleagues. There is a 12-month limitation and then they can work but only in a job on the reserved list. That includes being a professional ballet dancer, by the way, which is not exactly a route to employment for most refugees. Without wishing to stereotype, it has not yet come to my attention that there are out-of-work ballet dancers among the refugees that I have met.

The policy is very unhelpful. It is contrary to refugee integration and, as I have said, integration is the Minister’s departmental responsibility. Good integration is in all our interests. Homelessness prevents integration. Lack of money, gaps in employment, and language difficulties all increase the risk of homelessness. The 28-day move-on period increases the risk of homelessness. Cuts to English classes make everything harder. Lack of documents increases the risk of homelessness. All of those are fixable problems; most of them fixable without a large amount of money. In fact, it would save us money. If we got refugees into volunteering, employment and training, it would be good for everyone.

Mr Gregory Campbell (East Londonderry) (DUP): Will the hon. Lady join me in paying tribute to the many faith-based groups that help homeless refugees? They work not only among the refugees, but with other groups such as ex-service personnel, many of whom suffer from post-traumatic stress disorder, to try to get them to restart and build a new life.

Thangam Debbonaire: I am grateful to the hon. Gentleman for that intervention. Like magic, he has anticipated my next paragraph. During the inquiry, when we asked Jonathan from Survivors Speak OUT whether he felt that refugees were welcome in the UK, he said that the asylum system did not make him feel welcome. He was traumatised and angry during the entire five years it took to get status, but he also said that during that time he was made to feel welcome by the people of this country. When he was destitute and homeless while stuck in the process, he was supported by a church. He was given a home by a family and was welcomed into the community. So I ask—not for the first and probably not for the last time—for this country’s systems to live up to the shining example set by this country’s people in truly welcoming refugees.

The all-party group would like the Government to improve on the following, all of which would help to end or prevent refugee homelessness. We would like a national refugee integration strategy, or, if not that, for the integration strategy as a whole to have a dedicated aspect that should be expanded, particularly with regard to refugees. We would like the restoration of full legal aid for all asylum seekers. We would like to introduce the provisions for refugee family reunion that are contained in the private Member’s Bill promoted by the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil). I love saying the name of his constituency. We would like an end to indefinite immigration detention—28 days is quite enough, and ideally it should not ever happen to pregnant women. We would like full restoration of English language classes. Refugee after refugee told us about their sterling efforts to learn English and how hard it was when classes were cut. One told us he could
not afford buses to get around London, so he walked from class to class, wherever he could go to learn English. He told us all that in immaculate English, so the method worked, but it should not be that hard.

We should reform the rules on the right to work and volunteer so that, at the very least, asylum seekers can apply to work and start to try to look for work at six months. If the Home Office cannot meet its own service standard, why should refugees have to suffer a gap in their employment, which will affect their future ability to get work? We would also like the principles of the global compact on refugees to be integrated into UK law when the process is completed later this year.

I want to end by quoting another refugee, whom I would like to speak of as a friend—Kolbassia, of Survivors Speak OUT. Giving evidence to the inquiry of the APPG on refugees, he said:

“I’m part of this country. I need to make this country great. And that is the case for most refugees who are here. We are grateful for what is given to us and we want to do everything to repay this country. But we need help and that help will come from policy makers.”

Sir Henry, what a call to action that is. If we heed it we can end refugee homelessness and make refugees feel truly welcome.

3.21 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Stretford and Urmston (Kate Green) on setting the scene for us very clearly. There have been some significant and helpful contributions on an issue that we all feel strongly about. I have been very clear about the need for a manageable number of vetted refugees. It is not enough to tell people that they are free to live in the UK without also giving them the tools to begin their new life, find work and integrate into the community that they have been moved to. For every refugee whom we agree to take, there must be a duty to help, which does not mean simply physically, with getting furniture and giving clothes and food, and with being someone to talk to.

I met the Syrian families. I thought it was important to do so, first to welcome them to the area, and secondly to show them that politically they had support at the highest level. There was no bother about relocation in Newtownards. There never would be: but there is a language barrier and it is important to deal with that early on. Other hon. Members have referred to it and I know how important it is. Being able to speak the language is necessary to get a job and do the shopping, and so that children can go to school. The children are going to school, and we have many good people working together to make those things happen.

My hon. Friend the Member for Belfast East (Gavin Robinson) has a Red Cross group in his constituency. It does excellent work. I met someone from the group at Westminster last week, and have met others locally. They do tremendous work on integrating people and helping them to settle across the area.

Gavin Robinson: I am glad that my hon. Friend has mentioned the role played by the Red Cross across Northern Ireland. It is still a profound regret to me that not one of the Syrian refugees who relocated to Northern Ireland has been housed in East Belfast. There is a barrier to the provision of houses to those individuals, who desperately need them. There is a welcoming community that wants to host them if they come to my constituency. Does he agree that the situation needs to change?

Jim Shannon: I am almost flabbergasted by that news, Sir Henry. Given that we have been able to relocate four families close together in Newtownards, with the support of the local churches in making it happen, I am really disappointed by that. It is a big issue to be addressed, and that should be happening now. I am sure when my hon. Friend phones those concerned to remind them about it, their ears are burning.

I thank the many sterling workers who think long and hard about, and put hours into, making the transition into British life easier for those who come, and the community where they are placed. The hon. Member for Stretford and Urmston mentioned Law Centre NI, and I shall quote a briefing it produced. It is important to set out the changes that it wants, and how they would make integration a wee bit easier. I promised that I would raise the matter on its behalf, and bring it to the attention of the Minister, whose response I look forward to. Refugees are given 28 days to leave Home Office accommodation and find housing, benefits and employment. If it had not been for the people of Newtownards—the churches, committee groups and Link group—coming together for local individuals, we would not have had the smooth integration that was needed, when it was needed. If people are far from home in a community that they are not familiar with—a different culture and tradition—they will all of a sudden feel very much on their own. What has helped those people has been their faith and their integration into church life in Newtownards town.

In the 28-day period, people are expected to apply for social housing, but single adults are rarely found to be in priority need and there is a shortage of social housing, as my hon. Friend the Member for Belfast East said. If they want to find private rented accommodation,
they have in reality less than 28 days to arrange it. There can be delay in relation to their notification of status. We can see how problems multiply. The law centre said:

“The move-on period for people granted status should be extended from 28 days to at least 56 days to reduce risks of homelessness amongst refugees and bring Home Office policy in line with changes recently introduced under the Homelessness Reduction Act and that the impact of procedural adjustments within the move on period introduced in recent months are unclear so a full evaluation of the Post Grant Appointment Service and the pilot that preceded it should be published urgently.”

Law Centre NI is clear about what is needed:

“Learning from this should shape the support that refugees receive around housing and benefits across various government departments.”

Its experience, and the importance of that, are clear.

People who have been financially supported by the Home Office on £37.70 per week during their asylum claim, and who have not been permitted to work, will have been unable to save the funds needed to access private rented housing in advance. Having been placed in no-choice accommodation during the asylum process, they will also often have limited networks to rely on after they move in. There are significant obstacles to getting access to essential support such as benefits and universal credit, such as proof of address and incorrect advice from the jobcentre. Law Centre NI points out that integration loans should be adjusted and monitored to reflect the private rental market more accurately. It refers to the “public body with a duty to refer” refugees to local housing authorities under new regulations under the Homelessness Reduction Act 2017.

There are those who say that we can help, and clearly we must. We must help and put our money where our mouth is, like the man with the starfish. We all know that story, about the man picking up stranded starfish and putting them back, who when told “You can’t help them all,” says “I can help this one.” That is what we are doing—“Helping this one.” It must be done in a manner that provides security, hope and a future. If that means that we limit the numbers that we have, to ensure the care that we give people is appropriate and worthy of the British name, that must be the case. Homelessness in the UK is not what we want to offer; we want to offer hope, community, education, healthcare, friendship and freedom to live and work. We must seriously consider the requests of Law Centre NI on behalf of the Refugee Council, the No Accommodation Network, Crisis and Asylum matters.

3.29 pm

Sitting suspended for Divisions in the House.

4.10 pm

On resuming—

[SIR EDWARD LEIGH in the Chair]

Angela Crawley (Lanark and Hamilton East) (SNP): Thank you, Sir Edward, for calling me to speak. It is a pleasure to serve under your chairmanship.

I congratulate the hon. Member for Stretford and Urmston (Kate Green) on securing this debate. As we have already heard, those who have been granted refugee status are given 28 days to receive the required identity documentation, to secure a source of income and to find somewhere to live before any current support from the Home Office is terminated. For most, this proves absolutely impossible and, sadly, the majority of people without children become homeless. As we have heard, if someone has claimed asylum and been given refugee status, asylum support will stop 28 days after the decision and in the case of section 4 support it could stop as early as 21 days after.

I echo the words of the hon. Member for Stretford and Urmston, of my hon. Friend the Member for Glasgow East (David Linden), and of others, who have stated that the 28-day period is simply not sufficient and that a review of it must be undertaken.

I will also touch on the comments about the support that the Home Office provides. The outsourcing of that support—asylum accommodation—to private companies could have made the process more seamless, on the basis that there would be more opportunity for different types of accommodation to be provided. In reality, the system does not work quite like that. That has meant, for example, that local authorities such as Glasgow City Council, which had expressed an intention to submit a bid, realised that the system was far too unwieldy and the tender process would have made things impossible. Essentially, we are stuck with exactly the same providers and a very similar model, despite the criticisms of the system in a Home Affairs Committee report last year.

Move-on support has been mentioned. Too often, those who are granted refugee status are evicted from their asylum accommodation and simply left to get on with things. To anyone, that would be challenge enough, but to someone who is an asylum seeker or who has been granted asylum in this country, simply having 28 days to start to review their life and to bring everything together is undoubtedly a challenge.

The Government should be providing more extensive support with a new scheme called the warm handover, but in practice this scheme does not appear to be working. Also, it takes a long time before the handover to the benefits system actually happens. We have heard instances of constituents who have waited for three to six months, or for even longer, and that is simply not good enough. For those who are unable to work, because the right to work has not been granted, that delay can leave them in destitution and potentially in dangerous situations, either living on the streets or relying on temporary accommodation.

The Home Affairs Committee recommended that the 28-day move-on period to transition between Home Office support and housing to mainstream benefits should be extended, and that view has been echoed throughout the Chamber today. It is a sensible suggestion, particularly given the delays in benefits such as universal credit being sorted out; it is the only way in which people can move forward in their lives.

At the end of the day, refugees are people and they deserve to be treated with respect. Discretionary leave and humanitarian protections are eligible for allocation from a council to refugees, so they can get the help they need if they become homeless, including helping them to claim housing benefit. Obviously, however, that is
constrained and across this country local authorities are doing the very best they can, but ultimately people are reliant on the third sector—the charity sector, faith communities and others—and the good will of people generally to ensure that they are not left homeless or destitute.

That means that many who are seeking asylum or are in a period of move-on support are often heavily reliant either on local government or on charity sector providers such as Refugees at Home and Room For Refugees. Those organisations offer help in finding a spare room, volunteered by a member of the public, to those who have been granted refugee status following a successful asylum application but then have only the 28 days, those whose application for asylum is ongoing, and those who have been refused asylum and are appealing.

The reality, as outlined by the hon. Member for Bristol West (Thangam Debbonaire), is that those who have not been granted the right to work or who have been caught in the bureaucracy of the process are stuck in that limbo for longer than anyone would wish them to be. It is a mantra of the Government that everyone should want to get back into work, but there are people who want to work and provide for themselves but are not being granted the ability to do so, and that is a barrier to progress and integration.

As we heard from the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle), the poor conditions of the accommodation and the limited financial support is seriously damaging life chances and opportunities. Room For Refugees, which has hosted a total of more than 61,000 nights of shelter and has transformed thousands of lives, has seen a 279% increase in the numbers hosted in the last year, which alone should tell the Government that there is a problem they need to do more to address.

As the hon. Member for Strangford (Jim Shannon) outlined, Northern Ireland has led the way with the transition guide provided by its law centres. That could be rolled out nationally and be one way in which to signpost people through, whether it be the 28 days or a period voluntarily extended by the Government, giving people a step for a hint about where to start.

The asylum process is complex and its causes often extreme. It requires the difficult task of collecting convincing evidence of an ongoing threat to life or freedom in a person’s country of origin. During that period, many who have sought humanitarian protection, due to circumstances such as forced marriage, female genital mutilation, domestic violence and human trafficking, live in fear of being returned to their country. They are often traumatised, and some have experienced torture, rape or imprisonment. Many have lost family, homes and livelihoods and some have serious physical and mental health problems. They are granted asylum and are then forced into myriad bureaucracies. It is simply untenable to say that in 28 days they can turn their life around. Facing refusal and subsequent homelessness and destitution greatly exacerbates their difficulties, as they become unable to meet basic needs. I challenge anyone to try to live on £37 a week—it is unrealistic. How torturous must it be for those who have been stuck in the system for a long time, knowing that they want to work, and could work, but are simply not allowed to?

Those who receive a positive decision on their application—which is after appeal in about 50% to 60% of cases—are then permitted to work and must move on to find their own accommodation. That sounds laudable in reality, but if they have already had to go through an appeal process how much longer will it take them? Without support, it can be a difficult process, and it can be one of the reasons refugees find themselves homeless.

The purpose of this debate is to consider homelessness among the asylum community, but those who are seeking asylum and are refugees require support and encouragement and the Government could do more. Ultimately, this is producing costs in many other areas. I hope that the Minister will take on board all the comments from across the House and consider what further action can be taken.

4.17 pm

Melanie Onn (Great Grimsby) (Lab): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Stretford and Urmston (Kate Green) on securing the debate. The question she asked at the outset is absolutely right. Without any disrespect to the acting Minister, why has the debate been bumped to the Ministry of Housing, Communities and Local Government rather than the Home Office? With the best will in the world, the acting homelessness Minister will not be able to comment on some of my hon. Friend’s fundamental points relating to the reasons why those granted refugee status find themselves without funding or housing. He cannot take action on national insurance numbers, the minimum level of expected treatment of refugees and respect for their status, the responsibility of the state for those vulnerable people who have fled war or persecution, or the post-grant appointment service. He cannot tell us what has happened to the pilot. He cannot tell us where the review is, or anything about access to interpreters to help asylum seekers and refugees navigate our systems. He cannot respond to the important points raised by my hon. Friend the Member for Bristol West (Thangam Debbonaire) on work permits for refugees.

As he is unable to assist with all those things, I hope that the Minister will undertake to hold a meeting with the relevant Home Office Minister, have discussions and feed back to my hon. Friend the Member for Stretford and Urmston the Government’s thoughts on these important issues, or facilitate a joint meeting. It would be a fine example of the Government working cross-departmentally to tackle the gaping holes in Government policy, which will ensure that the very good Homelessness Reduction Act 2017 will not meet its stated aims. The Minister must agree that the Government’s failure of process, exacerbating a problem elsewhere in government, is ludicrous.

However, there are some things on which the Minister can comment. He can say something about prioritisation on housing waiting lists, and whether the systems—particularly local connection requirements for refugees—are fit and fair for purpose, from his experience and understanding of them. I am interested to know whether he recognises that some people in category 3 or 4 on waiting lists will be left there for years in limbo—usually single people and those at highest risk of homelessness.

The Minister can also say whether he believes that the Homelessness Reduction Act properly covers refugees and providers of asylum accommodation. There was very little discussion of that aspect of the Bill during its passage, with most of the consideration focusing on the
people are fleeing persecution, war and possible famine. It bears repeating that those people requiring emergency sheltered accommodation consistent with NACCOM’s findings that nearly 30% of must recognise that and take account of it. That is sub-standard, low-quality, poor housing. The Government and that, when we do house them, they end up in was the number of refugees in the homeless population (Lloyd Russell-Moyle) said just how disproportionate and is up nearly 75% from just two years ago. My in the period 2017-18 compared with the previous year, the Government pledged to introduce a new vulnerable number of other recommendations. The Minister can also tell us where the Government’s rough sleeping strategy is. The Opposition heard rumours that it would be published last week. Surely it is not the intention that it will be slipped out on the final day before Members leave Parliament for the recess.

Thangam Debbonaire: Whenever that is.

Melanie Onn: Indeed. Whenever that is.

As my hon. Friend the Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) rightly said, refugees are people who have gone through the trauma of leaving their home and possibly their family. Yet rather than offering a safe haven for those vulnerable people, our current system creates further difficulties and challenges at a time when many would think that their troubles were over. Given all that, it is little surprise that there are calls from the all-party parliamentary group on ending homelessness, the all-party parliamentary group on refugees, St Mungo’s, the Refugee Council, NACCOM, Crisis and others to extend that 28-day grace period to at least 56 days, and to implement a number of other recommendations.

In response to the Home Affairs Committee report, the Government pledged to introduce a new vulnerable persons service. Yet data from the Combined Homelessness and Information Network revealed that the number of new rough sleepers in London with refugee status increased in the period 2017-18 compared with the previous year, and is up nearly 75% from just two years ago. My hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle) said just how disproportionate was the number of refugees in the homeless population and that, when we do house them, they end up in sub-standard, low-quality, poor housing. The Government must recognise that and take account of it. That is consistent with NACCOM’s findings that nearly 30% of people requiring emergency sheltered accommodation last winter were refugees. It bears repeating that those people are fleeing persecution, war and possible famine. All those things often come with health complications that would make a harsh winter extremely difficult for a rough sleeper to withstand. It is not Government policy to track the deaths of rough sleepers, so we do not know how many refugees have lost their lives as a result of rough sleeping. The Government aim to end rough sleeping by 2027, but if they want to get anywhere near that target, they must realise that their current reforms and actions are nowhere near enough.

More than half the people in the Refugee Council study have endured a period in a hostel, night shelter or on the streets, and the reality is that someone who has been granted asylum in the UK is only 28 days from the possibility of homelessness. That is half what the Homelessness Reduction Act prescribes as the period after which councils must step in if someone is threatened with homelessness. Why are refugees who have been granted asylum given less state intervention and support than other citizens threatened with homelessness? Guidance in the application and roll-out of the 2017 Act has not been openly consulted on, so I am not clear who the acting Minister has spoken to. Has he considered extending the list of public bodies with a duty to refer to include those that provide asylum accommodation? Undertaking to do that would go some way to easing the concerns of those operating in the sector.

The UNHCR definition of a refugee states that a refugee has the “right to safe asylum”. The UK has a proud history of providing that, but we must ensure that it is a genuine safe haven for refugees and does not contribute to stigmatisation through lukewarm policy-making or an unwillingness to make things right. We need a cross-Government approach to ensure that no new refugee ends up on the streets, and I hope that the Minister will tell us how he will do that.

4.26 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): I congratulate the hon. Member for Stretford and Urmston (Kate Green) on securing this crucial debate. It was a little interrupted, and I am grateful to hon. Members for coming back to the Chamber to hear a response from the interim Minister—I guess we are all interim Ministers in this job, as it is ultimately down to the will of the electorate.

Melanie Onn: Is the Minister going to resign as well?

Nigel Adams: I have no intentions in that regard.

I thank the hon. Member for Stretford and Urmston for her work in this area. Her important work with the all-party group on refugees has raised the profiles of issues that impact on refugees, and I thank all right hon. and hon. Members for their contributions today.

We have a proud history of providing protection for those who need it, and the Government are committed to ensuring that all refugees can take positive steps towards integration and realise their potential. This country should work for everyone, especially the most vulnerable in our society, and we remain committed to ensuring that everyone has a roof over their heads and receives the support they need to rebuild their lives.

As hon. Members have said, our manifesto pledged to halve rough sleeping during this Parliament and end it altogether by 2027, and that is in addition to an ambitious homelessness reduction programme. We are
making good progress on our refugee resettlement commitments. Last year, more than 6,000 vulnerable refugees received protection under one of our resettlement schemes, and we are now more than half way towards meeting our commitment to resettle 20,000 refugees fleeing the Syrian conflict by 2020. There is much good practice from the Syrian vulnerable person resettlement programme, and we will build on that as we go forward.

A key commitment in the Government’s integrated community strategy was to work with civil society, and others, to increase the integration support available to those granted refugee status after arrival in the UK. That is a significant development in our approach, which recognises the importance we place on integration for all refugees. We agree that for newly recognised refugees, securing accommodation and accessing benefits or employment are crucial first steps without which longer term integration simply cannot happen. That is why we have introduced a number of initiatives to support refugees during the 28-day move-on period, to which Member for Stretford and Urmston rightly referred.

The post-grant appointment service is a joint initiative with the Home Office and the DWP, which helps refugees access benefits by arranging an appointment with a local DWP office—a jobcentre. The process is now being rolled out across the UK. Hon. Members referred to the pilots and issues that have been found in them. It is crucial that we monitor the progress of this work. I am sure that my colleagues at DWP have heard such comments and will follow up on them. The process has been rolled out. We plan to publish information about the schemes shortly, but the indicators are that, provided refugees attend the appointment, benefit claims can be processed quickly and a payment can be provided, before the 28-day move-on period expires.

MHCLG is currently funding the first year of a two-year pilot of 35 local authority asylum support liaison officers in 19 local authority areas in England with some of the highest numbers of asylum seekers. They will offer tailored support to newly recognised refugees. That will include working closely with the local authorities and a range of third-sector agencies during that 28-day move-on period, to secure accommodation for new refugees to move into, following a successful asylum decision. That should thereby reduce this vulnerable cohort’s risk of homelessness and rough sleeping. We want to work with civil society, local authorities and other partners, to consider what more could be done to support newly recognised refugees in the move-on period and the longer-term journey to integration.

More broadly, homelessness and rough sleeping is a key priority for the Government. As I have mentioned, we have allocated more than £1.2 billion to tackle homelessness to 2020. That funding will assist people to get the help they need and prevent homelessness and rough sleeping in the first place. Newly recognised refugees are entitled to homelessness assistance from their local authority and will benefit from the changes we are implementing through the Homelessness Reduction Act 2017, which many hon. Members have referred to. That came into being in April. We believe it is the most ambitious legislative reform in decades. Some of the changes introduced in the Act should mean that more people, whether they have priority need or not, are receiving the right support. For clarity, the new duties in the Act include providing and developing personalised housing plans based on an assessment of that person’s need, help to find accommodation and to access debt advice, and, potentially and crucially, help towards finding work.

For refugees, I recognise that the 28-day move-on period is less than the 56-day prevention duty in the Act. Home Office accommodation providers for asylum seekers already have a contractual duty to notify the local authority of the potential need to provide housing where a person in that accommodation is granted status. Combined with support from LAASLOs, the post-grant appointment service and the strengthened multi-agency approach to preventing homelessness, this referral by those providers should mean that the refugees get a range of support to access mainstream accommodation and services within the 28-day move-on period.

In order to deliver the new duties under the Act, we have provided new burdens funding of £72.7 million to ensure that local authorities can deliver their new duties. Funding, however, is not enough to ensure the Act is implemented correctly. That is why we have created the homelessness support and advice team. They have worked with authorities over the last year on a range of issues, but in particular they have supported them in the implementation of the Act.

We are going further on homelessness by committing to halve rough sleeping, as I have mentioned previously, in this Parliament and ending it entirely by 2027. In answer to the hon. Member for Great Grimsby (Melanie Onn), the Opposition spokesman, we will be publishing the rough sleeping strategy this summer, to set out our plan on how to achieve this. We are taking action now through the rough sleeping initiative. It is providing £30 million this year and the money has been allocated to the local authorities with the highest numbers of people sleeping rough. It is the product of many months of work by our cross-governmental rough sleeping and homelessness reduction taskforce, supported by an advisory panel of experts from across the sector and local government.

We have announced £28 million for Housing First pilots in Greater Manchester, the West Midlands and the Liverpool city region, which will focus on housing around 1,000 people with some of the most vulnerable and complex needs. The pilots will provide individuals with stable, affordable accommodation and, more importantly, intensive wrap-around support, which will help them to recover from complex issues such as substance abuse and mental health difficulties, and to sustain their tenancies. We expect the first people to move into the accommodation in the autumn. I very much look forward to the positive impacts of those pilots being realised.

To help local authorities support non-UK national rough sleepers, the controlling migration fund has funded projects that are working to support rough sleepers into accommodation and employment, and to return home voluntarily where that is appropriate.

I would like to respond to a number of points raised by Members. I apologise if I do not manage to respond to them all, but I will write to everyone who has contributed today with full answers to the points raised.
The hon. Member for Stretford and Urmston asked whether refugees would be given priority in housing services. Newly recognised refugees are eligible for assistance under legislation for homelessness and must be provided with accommodation if they have priority need, for example, if they are pregnant or have children. If they have been supported by the Home Office, they are deemed to have a local connection with the local authority in which they have been accommodated.

The hon. Lady asked about local authority asylum support liaison officers and the assessment of how they are working, and tier one classification and national insurance. Each of the 19 pilot areas will produce a report at the end of the first and second years. My Department is in the process of deciding how the evaluation of the pilots will fit into a broader evaluation of the controlling migration fund. On conversation with the DWP regarding reclassification to tier one, I do not know the answer, but I will ensure that the hon. Lady is written to and that she is updated.

On national insurance cards, refugees do not need to have a national insurance number to claim benefits because DWP centres provide one if an individual does not have one. From January 2018, procedures were put in place that mean that the national insurance number is now printed on all biometric residence permits provided to refugees.

The hon. Lady talked about social housing allocations. Certain people must be given reasonable preference under social housing allocation schemes, including people who are homeless. That is to ensure that the priority goes to those who need it the most.

In the time I have left, I will try to respond to hon. Members who are here in the Chamber. The hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) mentioned the integrated communities strategy. The Green Paper, published in March, recognised the importance of integration for all refugees, as well as committing to working with civil society. The consultation closed on 5 June and we are currently considering the responses. Last week, we launched the £7 million integrated communities fund.

The hon. Member for Bristol West (Thangam Debbonaire), who does fantastic work on the APPG, asked about access to English classes. English language tuition is fully funded for refugees who are unemployed and looking for work. I know she raised lots of other points and I will certainly write to her on them. I am conscious that I want to give the hon. Member for Stretford and Urmston a short period to sum up.

Kate Green: I thank all hon. Members who participated in this excellent debate. It was really good to have interest from parties on both sides of the House, sharing the concern about how we welcome and look after refugees.

Nigel Adams: I apologise for interrupting the hon. Lady, but I did not manage to mention this point. I know that she is keen for the Home Office to engage with this matter and I will ensure that the relevant Minister from the Home Office meets her and interested colleagues to take these issues forward.

Kate Green: I am very grateful to the Minister. I am sure that the all-party parliamentary groups that my hon. Friend the Member for Bristol West (Thangam Debbonaire) and I chair will be very happy to facilitate that meeting.

As we heard in the debate, what refugees, in common with all of us, need to be able to settle and build their lives is a chance to be in contact with their families, a chance to have a decent job if they are able to work and, importantly, a chance to have a secure home. As the Minister, I think, has acknowledged, that requires a response right across Government, and I am very grateful to him for his offer to pass on details of this debate to his colleagues in other Departments.

We have obligations—international obligations and human rights obligations—to ensure that we care for refugees here properly, and that will require an approach that extends right across national and local government, as I have said. I hope that the promises that the Minister has made of new policies and strategies delivering an improved service for refugees will come to fruition and will mean that some of the problems identified in today’s debate become a thing of the past. I can assure him and his ministerial colleagues that if that is not the case, we will be back here again to press the case for action in the best interests of refugees.

Question put and agreed to.

Resolved.

That this House has considered homelessness among refugees.
Green Belt (Penistone and Stocksbridge)

4.41 pm

Angela Smith (Penistone and Stocksbridge) (Lab): I beg to move,

That this House has considered planning policy relating to green belt and green space in Penistone and Stockbridge.

It is a pleasure to serve under your chairmanship, Sir Edward. My constituency of Penistone and Stocksbridge is a cross-border constituency, taking in north Sheffield and everything west of the M1 in Barnsley. In fact, it crosses the M1 in Dodworth to go right into the heart of Barnsley itself, with the boundary lying just west of the district hospital. One third of the constituency, on the western flank, sits in the Peak District national park. Even the eastern flank is for the most part made up of small towns and villages separated by farmland, green open spaces and woodland. I am sure that my constituency is the sort of place that those who originally devised green-belt policy had in mind when they wanted to protect areas from urban sprawl in the early post-war period. Indeed, it is estimated that approximately 70% of the land in my constituency enjoys green-belt status.

I think that everyone agrees that this country has a housing crisis. We simply do not have enough stock to supply today's needs, never mind the needs of future generations. It is not a new problem: successive Governments have failed to get new homes built and to reform the broken housing market.

As we know, under the former Labour Government, housing requirements were calculated at national level and targets were set for each regional planning authority. The regional planning mechanism had then to allocate numbers from that target for each local planning authority, with land set aside by the latter authorities to satisfy the target. Of course, once land had been zoned for housing, individual planning applications were more likely to be approved—a principle that is still in place now.

That all changed with the accession to power of the coalition Government and the subsequent abolition of regional spatial strategies. Decision making was, apparently, being returned to local level and democracy was being restored. I remember well the debates here on the claim made by the Conservatives when they were in opposition, that democracy is at the heart of the process, but the experience of my constituency is somewhat different. Indeed, a criticism made in 2016 by the Campaign to Protect Rural England was that the Government's local plan expert group completely failed to grasp the need for meaningful public involvement in the development of local plans. It was clear to the CPRE, and very disappointing, that the Government preferred instead to consult on a fully drafted plan, rather than allowing sufficient time for focused consultation on issues and options. In other words, the plans are developed in private, behind closed doors, and then put out as a complete draft, with no significant involvement of local communities.

Even in areas where local people have spent many hours working up their own neighbourhood plans—a concept encouraged and legislated into place by this Government and one that I support—we have seen those plans ignored by the Government's inspectors. In one example in my constituency, a neighbourhood plan made reference to an area of green-belt land that local people thought should remain designated. The strong local view was based on an acceptance of the need for more housing, and the plan incorporated more housing, but it was to be affordable and located on the developed site of the Don valley.

That aspiration was completely ignored at public inquiry by the inspector, in effect forcing Barnsley Council to put the other sites in the next draft plan. They were totally contrary to the neighbourhood plan. Only when the unelected Historic England intervened were the sites removed, because their development would have threatened the historic setting of a listed packhorse bridge that crosses the River Don. “Thank God for Historic England,” I say—but where is local democracy in all of this? Neighbourhood plans are supposed to represent the

Sheffield looks like, as the draft local plan is imminent. I need to point out, however, that in 2017 the CPRE reported 6,100 threats to green-belt designations in the city.

As I said, we all recognise the need for more housing. Despite the Government’s pledge that green belt land will be protected, the truth is very different. Indeed, in both the authorities that cover my constituency, the green belt has had to be examined during the process of putting together a draft plan for publication and consultation. Those reviews have taken place, though, alongside a call to developers for suitable sites for consideration in the local plan. In effect, that has had a dramatic cumulative impact. High target numbers have combined with green belt review and the traditional call to developers to put previously out-of-reach sites within the grasp of those who want to put shovels in the ground. Thus it is that our green belt protection is in danger of being eroded in my constituency.

Worse still, the idea that brownfield sites should come first has been downgraded. Brownfield sites unfortunately often require intensive preparation and—I acknowledge—soak up significant resource. Local authorities have to be proactive to get such sites fit for market as housing land. No wonder developers tend to go for the easy option—I do not particularly blame them for that—which in any case offer better returns.

In the Barnsley part of my constituency, the local plan is almost complete. As I said, we are about to start the process in Sheffield. We are told by the Government that democracy is at the heart of the process, but the experience of my constituency is somewhat different. Indeed, the process in Sheffield looks like, as the draft local plan is imminent. I need to point out, however, that in 2017 the CPRE reported 6,100 threats to green-belt designations in the city.

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Angela Smith: One of the key flaws of the approach is an over-emphasis on market signals. The Government should make the method for calculating housing need clearer, but this should also be more clearly integrated with what is realistically achievable. It then goes on to say: “One of the key flaws of the...approach is an over-emphasis on market signals”.

As part of objectively assessed need assessments, that is exactly the problem. The provision of new housing promotes valuable economic activity, yes—as I say, I do not blame developers for pursuing attractive green-belt sites—but it also meets an extremely important social need. We need a policy that delivers the housing necessary for our young people, for people on low incomes and for single-person households, but we will not achieve that crucial social outcome within the current policy framework.

What we will see, if we are not careful, is over-development in small towns such as Penistone in my constituency, which is threatened by a 30% increase in size—a small market town facing a 30% increase. That will destroy the character of Penistone, and the houses that will be built will not be the ones we need for local people, but rather more expensive offerings that will change the social mix of the communities that make up my largely rural constituency. The social divide in the county is huge, and there is a 14-year discrepancy in life expectancy between one part of Sheffield and another. How can we justify a policy that threatens to destroy the reasonable, well-balanced social mix that we enjoy in those areas, and will make that divide even deeper and more difficult to deal with?

At the heart of green-belt policy is a desire to stop urban encroachment.

4.54 pm

Sitting suspended for Divisions in the House.

5.19 pm

On resuming—

Angela Smith: The interruption was welcome, because we are now joined by my hon. Friend the Member for Barnsley Central (Dan Jarvis), who is also the elected Mayor of the Sheffield city region. I am pleased that he has joined us.

As I was saying, at the heart of green-belt policy is a desire to stop urban encroachment and to preserve our smaller towns and villages. Although I appreciate that green-belt land sometimes does not serve that purpose any longer and should be changed, the majority of the green belt still fulfils that important role. It is also worth noting the potential impact on our natural environment. Our green belt covers 53% of farmland subject to environmental stewardship schemes and 30% of the local nature reserves created between 2009 and 2015. How on earth can we expect to meet our biodiversity targets—the Government’s targets—if we pursue our current trajectory? Worryingly, the Ministry of Housing, Communities and Local Government is consulting on a weakening of protection for local wildlife sites in the NPPF. I would appreciate his comments on that key point, which is a source of great concern for the Sheffield wildlife trust.

Time and again, we have heard this Government talk about protecting the green belt, but its “call for sites” approach to local plans effectively encourages reviews of green-belt land by local authorities, such as Sheffield and Barnsley, with a significant proportion of green belt. In Sheffield’s case, that proportion is 63%, and Barnsley’s green-belt coverage is 79%. Will the Minister give us assurances that green-belt policy is more than just warm words, and that “brownfield first” really means that?

Local democracy and involvement should be at the heart of the process of creating a local plan, yet in my experience the opposite seems to be the case. Time and again, constituents have told me that they feel outside
the process, and I applied for the debate because they asked me to bring the matter up in this place. They tell me that consultations feel like tick-box exercises, and that they often feel faced with fait accomplis. Can the Minister give us assurances that local people’s views matter, and will he instruct councils that they should take local people with them when forming their plans? Will he also tell his planning inspectors that the same standard is expected of them?

Will the Minister look at reviewing housing policy to ensure that we deliver the homes we need where we need them? A large number of my constituents have lived in small villages and towns for generations. They love their communities. All the research by the Countryside Alliance demonstrates that one of the key factors for people living in rural areas is their genuine love of the communities they live in. It is not nimbymism to want to preserve the integrity of those places. They accept that new housing is needed. In Oxspring, the village I referred to earlier, the neighbourhood plan reflected the need for new housing. Indeed, most of my constituents recognise that their children will benefit from a proportionate increase in housing stock in their communities.

When will the Government drop their ideological approach to this policy area, adopt the mantle of Macmillan and previous Tory Governments, and deliver the housing we need rather than the housing that developers think we need?

5.23 pm

The Minister for Housing (Kit Malthouse): It is a great pleasure to serve under your chairmanship, Sir Edward. Apologies if I delayed proceedings during the Divisions.

I congratulate the hon. Member for Penistone and Stocksbridge (Angela Smith) on securing this important debate. I am delighted to be able to respond to the points she raised, not least because I, too, represent a beautiful rural constituency and they are close to my heart. It is clear from everything she said that both the green belt and green spaces are important to her and her constituents. I am grateful for the opportunity to speak about those issues and to underline the Government’s commitment to maintaining strong protection.

I should first point out that, as Members know, the Secretary of State has a quasi-judicial role in the planning system. I am sure they understand that it therefore would not be appropriate for me to comment on the detail of individual decisions or plans. However, I can talk about the broader issues raised. I shall set out what more we are doing to protect our natural environment while building the homes we need, as well as our national policy on the green belt and green spaces.

The Government are committed to protecting our precious environment and place great importance on striking a balance between enabling housing and commercial development, and continuing to protect and enhance the natural environment, minimising the impact on biodiversity. In particular, our planning reform package, which includes the revised draft national planning policy framework and reforms to developer contributions, is fundamental to ensuring that we are improving the environment at the same time as delivering the homes we need. The revised NPPF will be published shortly.

One of the key ways we are continuing to protect the environment is through the provision and protection of green spaces, which are part of our natural heritage. They provide balance in urban areas and improve the quality of life for all. Safe and accessible green infrastructure can play an important role in addressing health and wellbeing needs, which is particularly needed in our local communities, and indeed, in modern society generally.

The Government recognise the development pressures that areas such as green spaces face, particularly in the current housing crisis, but we are committed to their continued protection. To do that, the NPPF sets out that planning policies relating to open space, sports and recreation facilities, and opportunities for new provision should be based on robust and up-to-date assessments of need. That means that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken. The assessment should show that they are surplus to needs, or that there the loss will be mitigated by making equivalent or better provision in a suitable location.

The framework also encourages communities to use their local and neighbourhood plans—an issue that is important to me, too—to identify green areas of particular importance to them. They can then be given special protection by designating them as local green spaces, which means that they cannot be affected by development. Hon. Members will be pleased to know that the draft revised NPPF maintains those protections.

Angela Smith: The point I made in my speech is that in one community in my constituency, the Government’s planning inspector attempted to override the provisions made in the neighbourhood plan.

Kit Malthouse: The hon. Lady may not know, but as a Back Bencher, I, too, had that experience in a village called Oakley in my constituency. As a result, the Neighbourhood Planning Act 2017 strengthened neighbourhood plans in the considerations of planning inspectors, particularly prior to referendums. One pledge that I can make to her is that in my tenure in this job, however long that may be, I will do my best to promote, enhance and strengthen neighbourhood plans. I agree with her that they enable local communities to feel that planning is done by them, not to them; that very often, they result in more housing, not less; and that we should use them more across the country.

The green belt is another key feature of our natural heritage that fundamentally aims to prevent urban sprawl by keeping land permanently open. It is a national policy, but it is applied locally, with green-belt land defined and protected by local planning authorities. By providing strong protection for the openness of green-belt land, the NPPF prevents inappropriate development. It makes it clear that most new building is not appropriate there, and should be refused planning permission except in very special circumstances. That sets a high bar for developers, and is part of the reason why protection of the green belt has proved so effective over the past half century.

The draft revised framework remains committed to that protection. It states that changing green-belt boundaries is possible only in exceptional circumstances, using the local plan process of consultation and rigorous examination by the Planning Inspectorate. It proposes a clarification
of the exceptional circumstances test and sets out that a strategic plan-making authority will be able to alter a green-belt boundary only if it can show that it has examined all other reasonable options for meeting the development needs it identified. That means that an authority’s strategy should take into account several different factors.

For example, planning policies and decisions should give substantial weight to the value of using suitable brownfield land in settlements for homes and other identified needs, and support opportunities to remediate degraded or underused land. Another factor to be considered is the optimisation of the density of development, to ensure that authorities have significantly raised minimum densities in towns and city centres, and in other locations well served by public transport. Furthermore, the authority’s strategy should be informed by discussion with neighbouring authorities to see if they can take some of the necessary development.

Sometimes, exceptional circumstances may require land to be removed from the green belt. However, that does not mean that we are concreting over the beautiful landscapes for which England is known around the world and to which the hon. Lady referred.

**Angela Smith:** The Minister’s words are very welcome. He is being very generous with his time, and is very well-meaning, but the point is that 425,000 new homes are proposed on the green belt in local plans as things stand now. How can that represent exceptional circumstances?

**Kit Malthouse:** Proposed they may be, but the point is whether they will make it through the inspection procedure. It still remains the right of the Secretary of State, of course, to call in proposals where they are of national importance. There are particular safeguards.

I would point to the fact that the decisions are made by local democratically elected politicians. The hon. Lady raised an issue about engagement and the decisions that are made. I urge her to take that up with her confrères and colleagues on the councils concerned. She should be raising her concerns with them as well, as I hope and assume she has.

She asked about local housing need. A further consideration to green-belt policy is the calculation of local housing need. House prices are simply unaffordable in many places, meaning that too many people are unable to get on the housing ladder. Each local authority should assess local housing need and plan to meet it in full where possible. As part of the package of planning reforms, we have introduced a more transparent standard method for calculating housing need, which aims to make sure that we take the crucial first step of planning for the right number of homes. Although green belt acts as a constraint, the draft revised framework sets out that the calculation should be carried out before assessing where the need could be met. That is because constraints such as green belt are relevant when assessing how to meet need, rather than when assessing the scale of need.

Once again, let me thank the hon. Lady for securing this valuable debate. Before I close, I want to raise one issue she talked about. Local wildlife sites are of particular importance to me. The revised national planning policy framework will clarify protections for local wildlife sites. My predecessor as Minister for Housing met with the Wildlife Trusts and wrote to MPs confirming that. We can dig out a copy of that letter for the hon. Lady.

Finally, I emphasise the importance to me personally of neighbourhood plans. In my own constituency, I have been at the forefront of promoting those plans as a way of controlling and directing the right kind of development, in the right place, which suits local people and is responsive to their needs. As I say, I will do my best in this job to try to promote them in the future.

**Question put and agreed to.**
Nord Stream 2

5.32 pm

Mark Pritchard (The Wrekin) (Con): I beg to move, That this House has considered Nord Stream 2.

I am grateful to Mr Speaker for granting me this debate and it is a delight to hold it under your chairmanship, Sir Edward. It might seem intriguing or even peculiar to discuss Nord Stream 2—the construction of a 1,300 km gas pipeline so far away from British shores—in this place, in this House, in this Parliament. I hope over the next few minutes to set out why Nord Stream 2 matters to Europe’s national interests and the strategic interests of the United Kingdom, as well as to our NATO allies and partners in the European Union and in European neighbourhood countries as well.

If it comes on stream, Nord Stream 2 will provide 12% of the EU’s energy demand. On the face of it, that sounds like good news, but it will remove about $1.8 billion of transit fees that currently benefit the Ukrainian economy, from the Progress and Trans-Siberian pipeline systems. I also understand why Germany wants to increase its imports of external energy. Again, on the face of it, that is a very laudable aim. Certainly, as Germany switches off its nuclear power stations and seeks to reduce its coal consumption to meet the EU’s climate change targets, it will invariably find itself more reliant on imports of foreign gas and oil, although I note that those sources of energy are also fossil fuels.

It is also understandable to believe that the Ukrainian objections to Nord Stream 2 are commercial in nature. I am sure that, in large part, that is true; I have already mentioned the transit fees. However, is the $3 billion of transit fees alone enough of an incentive for its objections? I do not believe it is.

Pre-eminent in Ukraine’s objections are the geopolitical levers Russia could—would, in my view—deploy should Nord Stream 2 go ahead. That is not geopolitical guesswork but a fact-based opinion reliant on Russia’s actions over the last decade, during which it has deliberately and systematically misused the supply of energy to Ukraine and other parts of Europe as a stick to beat any state that seeks to be closer to the European Union and NATO.

Notwithstanding that reality, Russia’s current transit dependency on Ukraine affords Kiev some protection from further Russian aggression. Yes, Russia may have its stockpile of nuclear weapons and its exports of oil and gas, but its economy is not in good shape and is no larger than that of Spain, despite Russia’s geographical mass. Moscow is therefore all too aware of its reliance on an uninterrupted revenue stream from its gas exports. At present, Ukraine is an inconvenient transit country to Russia, but it is a transit country. While gas prices are comparatively low, Russia is prepared to moderate and tolerate some aspects of its expansionist foreign policy against Ukraine. I should say moderate. I do not think tolerate is the right word; the Ukrainian population certainly do not tolerate it.

Russia’s reluctant restraint, owing to its reliance on energy transit adversaries, as it would see it, is exactly why it sees the diversification of its gas transit routes as a top foreign policy priority, and as a possible stepping stone to further annexation of Ukrainian territory in the future and to attacking the Ukrainian economy through a major loss of its transit fees. In short, the completion of Nord Stream 2 will allow Russia to pursue an even more aggressive foreign policy towards Ukraine.

The clock is ticking. The agreement between Russia’s Gazprom and Ukraine’s Naftogaz is set to expire on 1 January 2020. Set against the 2019 completion date for the Nord Stream 2 project, the time for German platitudes and, dare I say it, the UK’s apparent unwillingness to come to a firm and fixed view on Nord Stream 2, has to end. Surely the key question for the UK Government is: “Will the development of Nord Stream 2 be in the UK’s medium and long-term strategic interests, and the strategic interests of our friends and allies in the European neighbourhood and in NATO?”

I know that several EU countries have a financial stake in the pipeline—or, at least, companies from countries including France, Austria, the Netherlands, and Germany. I also acknowledge that British interests are at stake. However, there is always a political risk with international and large-scale energy projects. My primary concern is not the potential commercial losses for those private companies, or even the success—or lack of success—of former German Chancellors in their deal making, but the strategic interests of the United Kingdom and our friends and allies. That is why I welcome Chancellor Merkel’s recent comments at the EU-Ukraine summit, at which she said “it is not just an economic issue...there are also political considerations”.

However, actions, not just words, are now needed. I am happy that the Minister of State is a man of action, not just words, and I look forward to his—as ever—informed and detailed response.

Of course, Ukraine can take its own action. Ukraine should not just be reliant on supportive EU partners for its economic and energy outlook, or debates like this taking place in Parliaments throughout the European Union. Ukraine can and should take action on, for example, replacing its ageing energy infrastructure, deregulating its over-regulated energy market, examining its own pricing structure, liberalising its own internal energy market and further diversifying its energy suppliers.

Another point for our German partners to recognise is that Nord Stream 2 will undermine the EU’s own energy strategy and energy union. Nord Stream 2 is incompatible with the objectives of the EU’s energy policies. Moreover, the pipeline will undermine other EU projects that seek to diversify energy supply markets and locations. Indeed, Donald Tusk, the President of the European Council, has previously said that Nord Stream 2 goes against the EU’s wider energy security interests. He has called for, at the very minimum, the pipeline to be regulated, and he repeated that at the recent Ukraine-EU summit. He went on to call for the pipeline’s construction to be halted in a joint statement with the President of the Commission, Jean-Claude Juncker.

The EU could also do more to ensure the diversification of its energy supplies. For example, it could get on with building liquefied natural gas storage areas in Lithuania, Latvia, Slovenia and other EU countries. Europe is perhaps also over-reliant on gas from the middle east. Perhaps it is time to look westwards across the Atlantic for a more secure and reliable energy partner.

For all the criticism of President Trump, much of it justified in my view, he has made the US into a net exporter of energy again. He has reduced America’s
reliance on foreign energy supplies. That is clearly to its geopolitical and economic advantage, but it is an advantage, and it is one that we need to replicate.

In conclusion, it is clear that there is a lot of unease among our European partners about the Nord Stream 2 project, as the Prime Minister noted in her NATO statement yesterday. At a recent energy conference in Europe—I refer Members to my entry in the Register of Members’ Financial Interests—I met a former Prime Minister of Italy, a former President of Poland and the current President of Latvia, all of whom expressed strong views on the need to increase, not decrease Europe’s energy security. In fact, all the Baltic countries oppose Nord Stream 2, as do many other countries, including Slovakia and Slovenia. The Prime Minister of Poland was perhaps the most perceptive when he called Nord Stream 2 “a weapon of hybrid warfare” and “a poison pill for European security”.

James Heappey (Wells) (Con): I congratulate my hon. Friend on securing this debate. I agree that the issue is not just the geopolitical leverage the pipeline gives to Russia or sorting out Germany’s dependency on Russian gas. If the Foreign Office can take the lead in discouraging Germany from the scheme, it would send a clear message about the enthusiasm of all European countries to decarbonise. With that comes greater energy security through a better mix of renewables and the energy security that brings.

Mark Pritchard: My hon. Friend makes a very good point. As someone who sat on the Environmental Audit Committee many years ago, I remember a report we did called, “Keeping the lights on”. He is absolutely right that the whole of Europe, and in many ways Britain, has led the way on renewables. Germany, which prides itself as being green as a nation and being green politically—perhaps more so than some in Chancellor Merkel’s party would want—needs to ensure that it diversifies its energy supplies and its energy mix. That is good for energy security, the environment and reaching our climate change targets.

Bringing things back to the United Kingdom, I am also aware of the comments made by the former Foreign Secretary, my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), in a letter to some colleagues. He apparently wrote that he feels that Nord Stream 2 is divisive and could leave the EU’s supply reliant on “a malign Russian state”. Is that the view of the Minister of State?

Sweden and Finland have both reluctantly given the go-ahead to the project, given that they had little choice but to do so, because, as colleagues will already know, Nord Stream 2 passes through those countries’ economic zone waters rather than their territorial waters. My hon. Friend the Member for Wells (James Heappey) just intervened and what I say next might address some of his question. The pipeline passes through Denmark’s territorial waters and, if the Danish Parliament and/or Government object to the pipeline, they could block the project. The pipeline could then be diverted, but with a significant delay, which might also give Poland a greater say in the project and might help Ukraine in negotiating a new transit agreement with Russia, given the timetables that I set out earlier.

I accept that the Danes are under pressure, both from those opposed to Nord Stream 2 and those in favour of it. In that regard, can the Minister say what representations the UK Government have made to the Danish Government on this issue, and what the precise nature of those discussions was?

I am sure that colleagues will be aware that Denmark’s Prime Minister Madsen Madsen is the same Danish Prime Minister who gave the go-ahead for the Nord Stream 1 project in 2009. However, times have changed, not only in the political balance and make-up of the Danish Parliament and the Danish Government, but in Russia’s overt, asymmetric, hybrid continual aggression throughout the European Union and the European neighbourhood. It is clearly understandable that Denmark wants to avoid confrontation with Russia over its disputed Arctic territory and the countries’ overlapping areas of the continental shelf, but Denmark must also decide whether Russia is a reliable and trustworthy energy partner.

Some suggest that Nord Stream 2 falls foul of the EU’s third energy package and in some respects that is true. However, both Russia and Ukraine are regarded as third countries, and in legal terms the third energy package is predominantly, as the Minister will know, an internal market policy and directive. So it is perhaps less of a defence against Nord Stream 2, although the project completely undermines Europe’s stated policy of an energy union; I think that is quite clear for all to see.

I accept that Nord Stream 2 is an economic project—I am not arguing against my earlier point, which I made in my introduction—and indeed a commercial prospect. However, it is also and predominantly a political project—a Russian geopolitical project. That must make Europe consider the consequences.

The question that Germany and EU partners, and I would carefully suggest, the UK, need to ask themselves is this: can Russia be trusted to supply over the medium and long term affordable, reliable and secure gas to the peoples and businesses of Europe? If there is any doubt or hesitation in formulating a positive reply to that rather simple question, surely Europe’s security and economic competence will be put at high risk by this project.

5.48 pm

Mr John Whittingdale (Maldon) (Con): I begin by warmly congratulating my hon. Friend the Member for The Wrekin (Mark Pritchard) on securing this debate, which covers a matter of considerable concern, both in this country and across Europe. I think we saw evidence of that yesterday, when the Prime Minister gave her statement following the NATO summit. In the questions that followed, five hon. Members raised the issue of Nord Stream 2 and expressed concern about its consequences. That concern has been echoed in Governments across Europe. My hon. Friend said that he had spoken to the President of Latvia, the former President of Poland and to Italy. As he knows, I chair the all-party parliamentary groups on Ukraine, Moldova, Lithuania and Belarus, and when the Moldovan and Lithuanian Foreign Ministers visited London they raised Nord Stream 2 as a specific
concern and potential threat to the security of their countries. Last week at the OSCE Parliamentary Assembly in Berlin, I participated in a meeting organised by the Ukrainian delegation to highlight many of the points that my hon. Friend made so forcefully.

When my right hon. Friend the Minister has discussed Nord Stream 2 in the past—I have raised it with him—he has suggested that it is primarily a commercial matter and, because the UK is at the far end of a long pipeline, it is of less concern to us. However, I hope he will recognise the security implications that we must take seriously. First, is this a commercial matter? It is hard to see any commercial justification for the massive investment that Nord Stream 2 will require. The existing pipeline, which crosses through Ukraine, does a pretty good job. It is highly flexible, allowing fluctuations in gas pressure, and it has spare capacity. It may need some investment to bring it up to modern standards, and that could cost an estimated $100 to $300 million a year.

**James Heappey:** On a recent trip to Brussels, I spoke to the Commission about its plans for a net-zero target, which would bring a significant reduction in gas demand across north-western Europe. One would think that that would bring a reduction. But gas prices have gone up—in actual fact, as he points out, there may well be a reduction.

The commercial justification simply does not add up. In a recent analysis of the economics, Sberbank said, “The Power of Siberia”—another gas pipeline—“Nord Stream-2 and Turkish Stream are all deeply value-destructive projects that will eat up almost half of Gazprom’s investments over the next five years. They are commonly perceived as being foisted on the company by the government pursuing a geopolitical agenda.”

We are extremely familiar with the idea that Gazprom is used by the Russian Government as an instrument to deliver their political objectives. In the last decade or so, we have seen the Russian Government use gas as a weapon on numerous occasions—particularly in 2009 and 2014—either reducing the amount or, in some cases, cutting off supply altogether.

The Russians use gas because they have the overwhelming supply for most of Europe, and they do not hesitate to deploy it as a political weapon. The new chairman of the Ukrainian gas company Naftogaz, Clare Spottiswoode, will be familiar to many of us here, as for a long time she was the regulator for energy markets in the UK. She did a fantastic job in the UK of fostering competition among gas suppliers, because she believes, as I do, that the way to provide the best service to consumers is by increasing competition, yet she points out that Nord Stream 2 will have a detrimental effect on competition. It is anti-competitive and it will increase the monopolistic stranglehold of Gazprom, and behind it the Russian Federation.

As my hon. Friend the Member for The Wrekin pointed out, Nord Stream 2 is essentially a political tool. The Polish Prime Minister has described it as a new hybrid weapon. If it replaces the Ukrainian gas pipeline—I think all of us believe that is the long-term objective—the consequence will be for Ukraine to lose up to 4% of its GDP, with an effect on government spending of a cut of about $2.3 billion. This is an economy that is already suffering, with Ukraine having part of its territory under occupation, notably its manufacturing heart in the east. The loss of the pipeline would be a further economic blow to a country that is already finding things difficult.

The consequences for Ukraine, however, are not only economic. The building of Nord Stream 2 and Europe no longer having to rely on Ukraine as a transit country for its supply of gas would remove one of the critical obstacles that stands in the way of further Russian aggression against Ukraine. The need to preserve the existing pipeline has to some extent acted as a disincentive to Russia; removing that disincentive could allow it to increase its military aggression against Ukraine.

As my hon. Friend said, Germany is phasing out nuclear power and, in all likelihood, we shall if anything increase our dependence on Russian gas, and yet at the same time we are engaged in hybrid warfare, as has been pointed out in debates in Parliament on a number of occasions: Russia occupies a part of Ukraine in the Crimean peninsula; it supports separatist movements in eastern Ukraine; it interferes in elections, in particular in the United States and in France; it runs a disinformation campaign through black propaganda; and of course our Government hold it responsible for the murder of a British citizen on UK soil and for the attempted murder of several others. This is not the time to make ourselves more vulnerable to Russian pressure by allowing Russia to increase its stranglehold on gas supply into Europe.

I therefore very much agree with my hon. Friend, and I congratulate him. I hope that the Minister will express—perhaps in stronger terms than we have heard before now—the concerns that exist in the British Government should that project go ahead.

**5.57 pm**

**Stewart Malcolm McDonald (Glasgow South) (SNP):** I, too, congratulate the hon. Member for The Wrekin (Mark Pritchard) on securing this debate. I can only lament that more Members are not present to take part in it, because it is without doubt important, and the timing should be on all our minds. We sit here on the fourth anniversary of the shooting down of MH17. Four years ago to the day, 298 people were killed, and only last week G7 Ministers said that Russia needs to account for its actions in that murderous affair. In May of this year a Dutch-led investigation concluded that the Government of Russia were, without doubt, responsible for the incident.

In his opening remarks, the hon. Gentleman said that it might seem peculiar that we are having a debate about a pipeline that is many hundreds of miles away, but in the rest of his speech he outlined why it is not peculiar at all. Indeed, the chair of the all-party parliamentary group, the right hon. Member for Maldon (Mr Whittingdale) followed up on that. The debate is an important one for all of Europe and, indeed, for anyone who believes in western democracy and democratic institutions—to which I shall return later.
Earlier this year, just a couple of months ago, I had the pleasure of visiting Ukraine with colleagues from the Scottish National Party. We spent time in the capital and in eastern Ukraine, going as far as Avdiivka, much to the horror of the British ambassador in Kiev— I can see the Minister looking at me disapprovingly, but I made it back. Nord Stream 2 came up all the time—in fact, literally from the first meeting we had—with the Deputy Speaker of the Parliament, the Foreign Relations Committee, the British-Ukrainian friendship group, several other Members of Parliament and civil society activists. All of them wanted to talk about Nord Stream 2, very much in the same terms used by the two previous speakers.

The big question is: where will the money go? What will it be used for? What will this instrument of hybrid war be used to do? Yes, of course it will be used to deteriorate further the situation in Ukraine—there is no doubt that it will be used economically and politically against Ukraine—but I believe, as does the Speaker of the Parliament of Ukraine, that the money will be used to further undermine western democracy and democratic institutions across the western world.

It is popular in some quarters to be anti-western, but I think that western democracy is something worth fighting for. I rather suspect that I am about to be cut off, but I shall keep going until you tell me otherwise, Sir Edward. The Government must have made an assessment of the situation. It cannot simply be the case that they believe that Nord Stream 2 is not really a matter for them. It must be, given the clear and obvious danger that the Government of Russia present.

Sir Edward Leigh (in the Chair): Order. I understand that there will be two Divisions, so we will resume as soon as all the participants in this debate get back to this Chamber after the second Division.

6.1 pm
Sitting suspended for Divisions in the House.

6.43 pm
Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab):
It is always a pleasure to serve under your stewardship, Sir Edward. I thank the hon. Member for The Wrekin (Mark Pritchard) for raising this important debate. It is a much-needed debate addressing the security of the whole of eastern Europe and the region around there, particularly the fears those countries have regarding the current security climate.

The Nord Stream 2 line will have a capacity of over 110 billion cubic metres per year, or 70% of the total gas from Russia to Europe—quite a significant supply. Currently, the only permits obstacle it faces is from Denmark, which is refusing to allow it. Obviously, there are concerns in relation to the Black sea and how that will work. Ukraine, as the hon. Gentleman mentioned, has significant fears about the situation. It currently has the Brotherhood line going through it, which earns about 2% of its GDP; if that lifeline is taken away by the Nord Stream 2 scheme, it fears that it will face serious economic consequences. Having the Brotherhood line protected in a certain way would allow a far better situation in Ukraine, and would allow Russia to work on it.

The debate is based on the export of Russian gas to Germany, which Germany needs to look at very seriously. It cannot just be about its need. When it decided to move to green energy from its previous energy generation mechanisms, the calculation was not made in terms of gas. That is why these issues have arisen. It is very important that we see that.

A number of European countries are currently opposed to the project and have huge security concerns about their future, including the Czech Republic, Estonia, Hungary, Latvia, Poland, Slovakia, Romania and Lithuania. They have significant concerns about what has gone on. Germany needs to look at the way it has handled its energy supply.

We need to look to Russia to see how it can be a corporate partner and a political friend to Europe, rather than antagonising the whole of the EU. If it wants to do such trade across Europe, it has a responsibility to behave in the manner of somebody who wants to work with Europe rather than against its interests. It should certainly be aware of those interests, because of the need to export. Germany also needs to look at what sort of alternative energy it has access to, rather than relying on this pipeline.

The issue will continue. The hon. Member for The Wrekin rightly pointed out the EU’s current role. It is good to see him recognising the fact that the European Union has a function of stability in Europe and is therefore able to put pressure on Russia. I accept the point he makes.

The right hon. Member for Maldon (Mr Whittingdale) raised some serious issues about some of the countries I mentioned. He has a huge amount of experience in that region. His words are very wise and should be listened to. A number of countries, and the EU particularly,
have tried to regulate the energy transfer to Germany. It has not yet quite succeeded and we need to know what is going on.

The American line is very strong on this issue. At the moment, we have not had a consistent line. We need to make sure that we can move forward and try to resolve some of the issues. It is a very important issue and a very important debate, and it is important that we pay it attention. I know that the debate has taken a significant amount of time and we are under time pressure because of today’s votes. I would like the Minister to address the steps that we are taking to secure our energy in the UK. The Government have refused the Welsh wave power project and other green energy projects, and I hope the Minister will look at those.

6.48 pm

The Minister for Europe and the Americas (Sir Alan Duncan): I express my gratitude to my hon. Friend the Member for The Wrekin (Mark Pritchard) for securing this debate. I recognise his long-standing commitment to foreign policy and security issues, particularly in this region. I am also very grateful for the very constructive comments made by other hon. Members. I will try to respond to the points.

I start by saying that President Trump’s criticism of Germany’s energy relationship with Russia at the NATO summit drew the world’s attention to the proposed Nord Stream 2 gas pipeline. Hon. Members who have followed the issue will know that the Government have been clear about our own significant concerns, which we have expressed both in public and in private.

From a domestic point of view, and that of sheer national interest, Nord Stream 2 would not particularly affect the flow of gas into our own homes. The UK has a diverse and dependable gas supply. The vast majority comes from our own production and from imports from stable producers such as Norway and Qatar. Only about 1% comes from Russia. If we were faced with an interruption to our current supply, we would not be dependent on Russian gas. In such circumstances, we could increase imports of liquefied natural gas and import from many different alternative producers. So Nord Stream 2 would not have a direct impact on the energy security of our own country, but it could have serious implications for other European countries and for Ukraine in particular. There are also serious, wider, strategic implications around the proposed construction of the pipeline.

Last year, 37% of the European Union’s gas imports originated in Russia and some member states were wholly dependent on Russian supplies, so we recognise that Russia will remain a major player in the European gas market. However, we do not believe that Nord Stream 2 is necessary to meet future European demand for gas.

A number of our European partners have raised concerns about the potential impact on European energy security if 80% of Russian gas supplies were to be concentrated through a single entry point into the EU. The Government share those concerns. At a time when Europe should be diversifying energy supply, Nord Stream 2 risks entrenching dependency on Russian gas in the European energy market for decades to come. It would increase Russia’s ability to use energy as a political tool in a manner that could go to the heart of certain countries’ economic wellbeing.

To counteract that, it is essential that European countries support initiatives that diversify and strengthen the wider European gas market. To that end, we support, for instance, the southern gas corridor that would bring gas from Azerbaijan into the EU. That project offers increased diversity of supply to south-eastern Europe and it would contribute to enhanced energy security across the wider continent.

Proposed amendments to the EU gas directive, which are under discussion, would also help to alleviate the risks associated with Nord Stream 2, as they would require Nord Stream 2 and all other interconnected pipelines between EU member states and third countries to be fully compliant with EU rules. We support efforts to implement those amendments, as they will help to ensure a level playing field and a competitive market for gas in the EU.

As has been mentioned, the potential impact of Nord Stream 2 on Ukraine is a particular concern and has come to dominate the strategic assessment of this proposed project. Ukraine hosts the largest existing transit pipeline for Russian gas, and transit fees made up 2.3% of Ukraine’s GDP last year. If constructed, Nord Stream 2 would divert supplies away from Ukraine, with significant consequences for its economy. Furthermore, Russia has historically used gas as a political tool against Ukraine, for instance causing serious gas disruptions in 2006, 2009 and 2014-15. At one point, Russia threatened to do so again this year. So Ukraine’s energy system would only become more vulnerable if it was replaced by Nord Stream 2 as a transit route.

The current gas transit agreement between Russia and Ukraine expires in December 2019. It is essential that there is a new agreement in place beforehand, to provide long-term certainty for the Ukrainian Government and the Ukrainian people. I welcome Chancellor Merkel’s statements in April that Nord Stream 2 has a political dimension and would not be possible without clarity on the future transit role of Ukraine. I also welcome the EU Commission’s efforts to facilitate gas transit negotiations between Russia and Ukraine.

I take this opportunity to reiterate our long-standing and unwavering commitment to Ukraine. The UK is, and will remain, one of Ukraine’s strongest supporters. We provide political and practical support that strengthens Ukraine’s sovereignty and resilience. Over the next year, we will provide another £35 million in technical and humanitarian support to Ukraine. We will press on with training the Ukrainian armed forces, to strengthen their ability to defend their country. We will help Ukraine to counter Russian disinformation; we will help Ukraine with reforms to its energy market; and we will work closely with the Ukrainian Parliament’s fuel and energy committee.

Stewart Malcolm McDonald: Forgive me, Sir Edward; this question is certainly related to the debate, although it may not seem so on the face of it. Can the Minister say whether any of the support that the Government plan to give, now and in future, involves resolving the ludicrous visa situation that exists?

Sir Alan Duncan: That is slightly tangential, as the hon. Gentleman admitted in his first sentence. Wherever I go, visas are a serious diplomatic problem. They cause a lot of upset in many countries when people, quite
[Sir Alan Duncan]

rightly and with reasonable intent, wish to travel here, but find that it is very expensive, it takes a long time and it is sometimes very inefficient.

Mark Pritchard: The Minister may be coming on to make some remarks about Denmark, but I hope that he will be able to address the question I set out in my speech: what representations have the UK Government had with the Government of Denmark over Nord Stream 2, and what was the precise nature of those discussions?

Sir Alan Duncan: I can answer that straightforwardly. I am fully aware that Denmark has not yet issued the relevant permits for the construction of Nord Stream 2—which would be in its territorial waters, as has been mentioned. We have raised our security of supply concerns with Denmark, and we anticipate its decision in the autumn. The former Foreign Secretary, my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), raised the issue with the Danes, and I have discussed it in the margins of foreign affairs committees in Brussels in the past.

We give all that help to Ukraine because it is essential for Ukraine’s future security and prosperity, and because it is essential for upholding European values and the wider security and prosperity of Europe. I fully recognise the concerns that hon. Members have expressed and I am grateful to my hon. Friend the Member for The Wrekin for drawing attention to this important issue by securing the debate.

Let me be clear: Nord Stream 2 represents a risk to European energy security and to Ukraine. Existing pipelines already provide enough capacity to meet the European demand for gas. We do not believe that Nord Stream 2 is necessary and we remain concerned that its construction will be harmful to European interests and those of Ukraine.

For that reason, we will continue to express concerns in discussions with partners across Europe, as I did with the German Minister, Michael Roth, last week. As the Prime Minister noted yesterday, she has been discussing it around the EU Council table for some time. We back amendments to the gas directive to ensure that all interconnector pipelines operate within EU internal energy market rules, and we will continue to support initiatives that strengthen and diversify the supply of gas to the European market. I assure hon. Members that we will play our full part in defending the interests of Ukraine, and we will not shy away from having a strong opinion about such an important strategic proposal.

6.57 pm

Mark Pritchard: The Minister’s comments are the most robust that I have heard from any Government Minister, including the Prime Minister yesterday. They are welcome remarks, although perhaps more in Ukraine than in the United Kingdom. He uses the word “risk”, which I also used in my speech, and said that he felt that Nord Stream 2 was not necessary because of the existing supplies in the European Union.

Notwithstanding the Minister’s comments on Denmark, I encourage him to go further, given that he is also the Minister for the Americas. The British Government may have had some differences with the White House—in particular, with President Trump—in the last few hours vis-à-vis our policy on Russia; none the less, on this issue we can agree with the White House and even with President Trump. I hope those discussions will prove fruitful—not only for our bilateral relations with the United States, but for Ukraine’s future.

Question put and agreed to.
Resolved,
That this House has considered Nord Stream 2.

6.58 pm

Sitting adjourned.
Russia and the Council of Europe

9.30 am

John Howell (Henley) (Con): I beg to move, That this House has considered Russia and the Council of Europe.

It is a pleasure to serve under your chairmanship, Mr Howarth. I thank the many members of the Parliamentary Assembly of the Council of Europe who have joined me to discuss this issue. It is a great pleasure to see them, and I am grateful to them for turning up to speak.

I start the debate by making two declarations. Neither is required for financial reasons, but they will offer some context to the debate. First, I am a member of the Parliamentary Assembly of the Council of Europe. To set the scene a little, the Council was established to promote the rule of law, democracy and human rights throughout post-war Europe. It is no less relevant today than it was 70 years ago. It has become the premier human rights forum in Europe for its now 47 member states. That will be important when we discuss Russia.

The Council is a bicameral institution, with member countries from across the wider Europe—not just the European Union—including Turkey and countries from the former Soviet Union, such as Ukraine, Georgia, Azerbaijan and Armenia, some of which I will mention during my speech. It also includes a number of partners in democracy and other observers, including Japan, the US, Mexico, Canada, as well as other important countries, such as Israel, and the representatives of the Palestinians.

The Council also has a relationship with a number of other institutions, including the European Court of Human Rights. It is important to remember that the Assembly elects judges to the European Court of Human Rights, which gives the judges, and therefore the whole Court, significant democratic legitimacy. That will also be relevant when we discuss Russia.

If the United Kingdom is to be part of the wider Europe, the Council offers a tailor-made vehicle for doing so. Rather than seeking to reinvent the wheel, we need to strengthen and to maximise the UK’s unique status within the Council, including on matters relating to Russia.

The second thing I wish to declare is that, before entering Parliament, I was the principal private adviser on matters eastern European, including the former USSR, for successive UK Governments of both colours. In that role, I helped to set up and steer the technical assistance programmes that helped those countries to develop. We worked on a range of activities, including on privatisation throughout the region.

Russia is also a member of the Council, but it has chosen not to put its delegation forward to the Assembly for approval. That is worth repeating: Russia has chosen to absent itself from the Assembly by not allowing its delegation to be questioned and approved, presumably for fear of the reaction to its continued occupation of large parts of Ukraine—not only Crimea, but eastern Ukraine, including Donbass.

Russia subsequently chose not to pay the Council its annual dues, which, as a grand payeur, were originally set at €33 million, so the Council is running short by €33 million. The Council is now under tremendous pressure to readmit Russia so that it will start paying again. In other words, we are being asked to sacrifice principle for cash.

Sir Edward Leigh (Gainsborough) (Con): To be absolutely fair, we took away Russia’s voting rights.

John Howell: The Council took away Russia’s voting rights because of the invasion of Ukraine. That was not the first time Russia had done something like that; we are dealing with a serial offender. It has now also lost its right to elect judges to the European Court of Human Rights, following its annexation of Crimea and its action in eastern Ukraine. The Russian ambassador to the Council wrote that it was the “free choice” of the people of Crimea to become part of Russia and that the Assembly had so restricted the rights of its representatives that they could not continue. The first part of that is, frankly, laughable.

It is possible to argue, with the benefit of hindsight, that when the USSR broke up, we should not simply have accepted the countries based on the former component states of the USSR. However, to do otherwise would have complicated an already complex situation and would have delayed the emergence of independent nation states. I remember discussing this issue at the time and passing it by.

Russian activity in the Donbass and in Crimea has badly affected the human rights of Ukrainians there, some of whom are held as political prisoners. Members may recall our opportunity to meet Nadiya Savchenko—an Assembly member and Ukrainian air force pilot who had been imprisoned by the Russians. She addressed the Council after her release. Whether one agrees with Nadiya Savchenko’s politics is irrelevant; the fact is that she gave a moving account of her imprisonment by the Russians.

Mr Nigel Evans (Ribble Valley) (Con): My hon. Friend is making a powerful speech. Does he agree that the invasion of Crimea was the tipping point? Russia’s taking of two enclaves in Georgia—South Ossetia and Abkhazia—was when the international community should have acted. The invasion of Crimea followed because of our supine response when Russia invaded those parts of Georgia: we refused to do anything.

John Howell: My hon. Friend anticipates what I will say in a moment. I agree that we are dealing with a serial offender, as I said in answer to the earlier intervention. We should have taken a strong stance when Russia attacked Georgia. It came as no surprise that it then attacked bits of Ukraine.

Dame Cheryl Gillan (Chesham and Amersham) (Con): My hon. Friend is indeed making a powerful speech. Does he welcome Georgia’s being at the forefront of some of the discussions at the recent NATO conference
and of a report from the special committee? Does he also agree that we ought to get on with allowing Georgia into NATO?

**John Howell:** I agree that Georgia is fit for NATO membership. I look forward—along with my right hon. Friend—to monitoring the elections there later in the year. I have no idea what I will find on the ground there, but Assembly members play an important role in monitoring elections in newly emerged democracies.

Many might also recall the motion at the last part-session of the Council of Europe, which took up the case of Ukrainian prisoners of war—as I said in the Parliamentary Assembly, the issue of political prisoners goes right to the heart of what the Council of Europe is about. However, like many resolutions that the Council of Europe has passed to condemn the actions of Russia, that motion will almost certainly be ignored. Indeed, the Council of Europe has passed so many resolutions about occupied Ukrainian territory, the rights of the people there and political prisoners, that Russia’s non-compliance can be seen only as a gesture of ill will towards the Council of Europe.

**Christine Jardine** (Edinburgh West) (LD): Given that a British citizen has now died as a result of the Novichok incident, does the hon. Gentleman think that we should perhaps reconsider Russia’s position in the Council of Europe?

**John Howell:** I will come on to that, but I wonder whether the hon. Lady means that we should consider admitting Russia or excluding it. I put the Novichok case to the Croatian Prime Minister during the last public session of the Assembly, and I asked whether he thought that his decision to send away a Russian member of the Foreign Office based there was justifiable. His response was that the evidence Britain had produced was so strong that he would do it again. That is important.

Crimea is not the only source of disagreement. The Council of Europe has passed a resolution about the serious, systematic and widespread persecution, discrimination and harassment of lesbian, gay, bisexual and transgender people in Chechnya, which has caused more than 100 people to flee that country. The Council of Europe called on Russia to conduct an independent national investigation, and for the extreme discrimination to end, but Russia has done nothing.

We have already mentioned Georgia, and the Council of Europe has criticised Russia for the abuse of human rights in the occupied regions. That abuse effectively extends to the use of war in that country, Russia’s non-recognition of the borders of Georgia and its treatment of people who live there, whose human rights have been abused. As the Georgian ambassador to the UK recently wrote, after 10 years of Russian aggression, Russia continues its occupation of regions of Georgia, undermining international law and the rules-based system, with massive infringements of human rights.

Another issue is the Smolensk plane crash, which killed the Polish President, Lech Kaczyński, and the Russian refusal to return the wreckage. The Russians claim that the return of the wreckage will simply fuel Polish conspiracy theories. They may be right, but returning the wreckage would also prove beyond doubt what happened in that plane crash, so the Russians should do it.

Ukraine has become the cause célèbre of this debate. A paper produced at the last meeting of the Council of Europe stated that 64 Ukrainians have received politically motivated convictions and are effectively prisoners of war whose human rights have been killed off.

The secretary-general of the Council of Europe said that the continued absence of Russia from the Council affects the rights of ordinary people in Russia to access the European Court of Human Rights. Perhaps that statement can be believed, but I think it is so far from the truth that it is difficult to justify in terms of what can occur. The number of cases involving Russia that have been brought before the European Court of Human Rights is large, but is also worth considering Russia’s total disregard for the ECHR’s judgments, and the claim by the Constitutional Court of the Russian Federation that Russia should not be bound by those judgments. We know from the judgment in the Yukos oil company case that following the rules of the ECHR and putting right a case on which it has already opined will be expensive. I am afraid, however, that I regard that as a fair price to pay for the wild west nature of Russia that we helped to create after the fall of communism.

**Sir Edward Leigh:** No one doubts that Russia’s human rights record is egregious, and one can go on listing its faults forever—it has as many faults as countries such as Azerbaijan, which is in the Council of Europe. Surely, however, my hon. Friend is not suggesting that the Foreign Office should stop talking to or engaging with Russia. Similarly, in the Inter-Parliamentary Union, if one engages with the Russians, despite their faults, one might at least have some chance of persuading them or informing them of our point of view.

**John Howell:** My hon. Friend makes an interesting point, but we are not simply engaging with Russia as a third party. We are talking about Russia’s inclusion in, or readmission into, the very body of which we are part, and for which we were, in 1949, an inspiration. Those are completely different circumstances to the description that my hon. Friend gives, whereby we should talk continually to Russia. This is about admitting Russia into our family home, as it were, and about it being part of that. In that situation, I think different rules apply.

I was speaking about our role in the fall of communism. We got it right in Poland and in the Czech Republic, but I fully acknowledge my part in getting it wrong in Russia. We await with bated breath the promise to amend the Russian constitution to allow judgments to be implemented.

So what do we do? The first thing that is not going to happen is the lifting of sanctions that we imposed against Russia’s voting rights at the Council of Europe or the restoration of those voting rights. The second thing that I do not believe will happen is the sudden withdrawal of Russia from the Donbass or Crimea.

Can it be right for a member of the Council of Europe to invade another’s territory, to conduct hateful campaigns elsewhere in the region, to have a casual attitude to human rights and to suffer no consequences? Are we simply to roll over and readmit Russia to the Council of Europe without any effects? Is the cost of
keeping Russia out of the Council of Europe completely out of killer with the benefits of bringing it back in? I think the answer to all these questions is no. Is it true that the Council of Europe cannot survive without the presence of Russia? Again, the answer is no.

The Russian Ambassador to the Council of Europe said:

"in seeking to 'punish' the delegation of the Russian parliament in 2014-2015 for the free choice by the people of Crimea to become part of Russia, the Assembly restricted the rights of Russian parliamentarians to such an extent that it made it impossible for them to continue their work in PACE.”

Nothing could be further from the truth. The Russians have chosen to exclude themselves. The ambassador goes on to describe the actions of the Parliamentary Assembly as “thoughtless”, but they were not. Those actions were a deliberate reaction to the Russian invasion of Ukraine, which the Council of Europe can hopefully help to reverse.

Depriving the Council of Europe of €33 million is a serious matter, but it should not stand in the way of the wholesale reform for which many of us have argued. It cannot be right to simply sit and plan for nothing to happen at the end of next year—that is not a realistic option, and neither is it realistic for the Council of Europe to have no contingency plan for what will happen if the Russians continue in this way.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): My hon Friend is making a powerful point. At the moment, it looks as though the Council of Europe is being held hostage by means of a concerted effort by the Russians, through friends in the Council of Europe, to get themselves back into the Council. That is happening, as far as I can see, under the secretary-general, because he feels that the money is more important than the political will to say no. Does my hon. Friend agree?

John Howell: I agree. The point I would make is that the Council of Europe is all about political will. It was set up with that background. If we give in to that political will, we have nowhere to go. What is required is a proper plan to reduce the waste and inefficiency of the Council. I am sure we can take out enough expenditure to replace the Russian contribution. I believe, overall, that we are right to maintain our position of principle and to reject this choice of cash.

9.50 am

Angela Smith (Penistone and Stocksbridge) (Lab): Once again, it is a pleasure to serve under your chairmanship, Mr Howarth. Thank you for giving me the opportunity to speak in this debate. I thank the hon. Member for Henley (John Howell) for securing the debate; it is important that we discuss in this House the situation in the Council of Europe as it relates to Russia.

As the leader of the Labour delegation to the Council of Europe and someone who has seen at first hand the turbulence that Russia is causing there, I believe this debate is critical. Russia’s relationship with the Council of Europe is fraught with difficulty. How we approach it over the coming months and years will have a profound effect—not only on the Council, but on the integrity of UK foreign policy and the security of the UK and other member states.

I begin by reminding hon. Members of Russia’s accession to the Council, as the points made in the debate at that time are being replayed to some extent today. Russian membership was given in 1996—a decision based on pragmatism and democratic hope. Its human rights record was a long way from spotless—indeed, its initial membership bid was suspended because of its actions in Chechnya. On balance, it was agreed that Russia and the Council would mutually benefit from Russia’s membership. Over time, it was hoped, Russia’s record of human rights under the rule of law would improve. The Moscow Times said that the Council and Russian citizens would get

“some small degree of leverage over Moscow and its justice system.”

To an extent, Russia’s record did improve. It ratified the European convention on human rights, acceded to various Council conventions and made reforms to its judicial and penal system. However, the list of human rights abuses and the occasions on which it has flown in the face of Council of Europe conventions is so long that it would be impossible to fully recount them within the constraints of this debate. Its record in Chechnya is horrific, as is its aggression in Transnistria. At home, its treatment of minority religious groups and LGBT people—particularly in Chechnya, as the hon. Member for Henley mentioned so eloquently—and the restrictions it imposes on journalists clearly derive the principles the Council of Europe was founded on.

Human Rights Watch says that under Putin, human rights standards have fallen, and Amnesty International’s report on human rights in Russia over the past year records that there were,

“further restrictions to the rights to freedom of expression, association and peaceful assembly. Harassment and intimidation of human rights defenders and independent NGOs continued... Religious minorities continued to face harassment and persecution. The right to a fair trial was frequently violated. Torture and other ill-treatment persisted”.

That is the analysis of Amnesty International. In 2017, Russia had 370 registered cases at the European Court of Human Rights—almost triple the number for Turkey. If I am honest, we have allowed Russia to get away with a lot up to now—too much—but we must draw a line somewhere. If the invasion of another member state’s sovereign territory does not represent that line, what on earth does?

It is absolutely right that the Council of Europe should have condemned and sanctioned the Russian Federation for its actions in Crimea and the Donbass. The hon. Gentleman—my hon. Friend, in this context—was absolutely right to say that Russia excluded itself from the Assembly. I will say this: Russia may suspend its contributions to the Council, it may threaten not to resume them and it may risk its position on the Committee of Ministers, but we cannot allow ourselves to be blackmailed into accepting such brazen disregard for the common principles on which the Council was founded.

The Council of Europe’s job is to promote human rights, democracy and the rule of law. In that context, we must ask ourselves why Russia is so keen to reinstate its membership on its own terms. Does its membership enable the Council’s mission? Does it help us to protect human rights, democracy and the rule of law, or does its role complement its approach elsewhere on the
international stage? In other words, is the Russian Federation's membership primarily related to an attempt simply to disrupt and to divide western democracy?

I acknowledge Secretary-General Jagland's position on all of this. He argues:

"It would be a big step back for Europe"

if Russia withdrew its participation in the Council. In my view, however, Jagland's position is also deeply worrying. A report in the Financial Times in November made it clear that Jagland was,

"touring European capitals warning of a serious risk that Moscow could withdraw or crash out of the 47-member body unless its demands are met."

He said:

"It would really be very, very bad if Russia was to leave...because the convention and court has been so important for Russian citizens...It will be a negative development for Europe, because we will have a Europe without Russia. It would be a big step back for Europe."

I do not accept that. Two days ago, Jagland tweeted:

"President Trump is right, "The World wants a better relationship between USA and Russia". The first step has been taken, hopefully".

Then again, a few hours later, he tweeted:

"Good that Presidents Trump and Putin meet. Better than the opposite. Congratulations to the Finnish Government...an outstanding statesman"—referring to the President of Finland.

Mr Liddell-Grainger: The hon. Lady has made a very powerful point about Mr Jagland, and I think she needs to go a little further. I suggest this: he wants a legacy from what has been a failure of his tenure. This is his legacy. He wants the Russians back. The hon. Lady is right that we are being blackmailed in a very simple way by the secretary-general to allow him to have some kudos. Her point is absolutely forthright, and she is right.

Angela Smith: I agree with the hon. Gentleman. Indeed, it is quite clear that the secretary-general is more than sympathetic to the Russian cause. Those tweets about the meeting between Trump and Putin earlier this week showed a lack of real judgment. For someone who is leading an important, international European body that defends human rights, I found those tweets astonishingly disturbing.

I do not think either that the argument that Russian citizens need to maintain access to the European Court of Human Rights is correct. My understanding is that, if Russia is suspended from the Committee of Ministers, it is exactly that—suspended. It is not expelled from the Council of Europe; its membership is suspended. On that basis, Russian citizens would still have access to the European Court.

The issue needs to be bottomed out, because the view being propagated around the Council of Europe and among the delegates to the Assembly is exactly that we cannot afford to let Russian citizens lose access to the European Court. In any case, my response to that is, "What about the human rights of the Ukrainians, the Crimeans and the Crimean Tatars, which have been deeply compromised by the actions of the Russian Federation?" Jagland does not seem to want to acknowledge that.

I genuinely look forward to a time when we can welcome Russia back to the Council of Europe on the right terms, but so far Russia has done nothing to reverse its annexation of Crimea. It continues in a "totally unacceptable" manner—those are the words of Secretary-General Jagland—to block the Council's human rights commissioner from visiting the region. It continues to undermine the most fundamental pillars of the European convention.

In recent years, Russia has ramped up its aggression on the global stage. It defends President Assad and his use of chemical weapons, meddled in the US election and is now under investigation for its ties to the Brexit campaign. Let us not forget that it was responsible for poisoning a former intelligence officer, Sergei Skripal, and his daughter, Yulia, right here in the UK. While we fight among ourselves in the west, Russia is of course busy building out its strategic capacity and its influence in the Black sea and the eastern Mediterranean.

A careful balancing act was being played out when Russia was given membership of the Council of Europe. At that time, there was genuine hope. There was a belief that Russian membership would help Russia and Europe to integrate and move towards a shared moral code. But to lift sanctions now, based on the same assumption, would be wrong. In the words of one Ukrainian official:

"It would be the first hole in the wall."

This is a matter of principle over expediency, as my hon. Friend the Member for Henley said. We cannot permit a member state to behave aggressively and hold the Council to ransom over its membership. What message does that give to Russia, Ukraine and the people of Crimea? What does it say about the standards that we apply to other countries or to future applicants? It is blackmail, and it cannot be tolerated.

I make it clear that my feelings do not come from a place of dislike for the Russian people or the Russian state. They come from an honest and sincere belief in the work of the Council of Europe. The principles on which it was founded we must all, as citizens of a liberal democracy, hold dear. We need only to reflect on the grounds on which the Council was founded to be reminded that we must never take those values for granted, and at a time of increasing instability at home, in Europe and beyond, we must robustly defend that which keeps us safe and at liberty.
I serve on the Council of Europe alongside many of my colleagues in this Chamber. It is very ably led by the hon. Member for North Thanet (Sir Roger Gale), and my political group is led by my hon. Friend the Member for Bridgwater and West Somerset (Mr Liddell-Grainger). However, I can honestly say that the group of Members of Parliament and Members of the other place who go there to represent the United Kingdom work together as a team—a very comprehensive team and one whose members complement one another. Very little politics is played in the UK delegation to the Council of Europe; we see ourselves representing the United Kingdom, rather than our independent political positions, which gives us great strength as a delegation.

As a former colleague of my hon. Friend for Henley, I, too, worked behind what was then the iron curtain. We suffered similar deprivations when we went into that territory in the name of capitalism and bringing private companies into the newly emerging markets after glasnost and perestroika. I commend him for the sterling work that he did and the advice that he gave to successive UK Governments.

I think that it is useful to remind those listening in to the debate that the Council of Europe is Europe’s oldest political body. It emerged from the ashes of world war two and has been described as the “democratic conscience of Greater Europe”.

Its commitment to upholding human rights, democracy and the rule of law across, now, 47 member states and 820 million people is remarkable.

I think my colleagues would agree that we sometimes see the dead hand of the European Union trying to take over and dominate the Council of Europe, but fortunately it fights and maintains its independence, which is absolutely right. I think that it is in many ways a more important body than the European Union, because the people who go to the Council to represent their countries are directly elected Members of the Assemblies in their countries. Also, it has a very proud history, which includes eliminating the death penalty across the 47 countries. We should all be proud of that.

As I have said before in this Chamber, I think that we should have an annual debate on the Floor of the House in Government time on the work of the Council of Europe. I hope that by reiterating the proposal—I know I have cross-party support for it—we could achieve that. At the end of every year, to be able to do a summary of what the Council has been up to would be very important.

On Monday, my right hon. Friend the Prime Minister said in the House of Commons that we needed to be “clear and unwavering about where Russia needs to change its behaviour, and for as long as Russia persists in its efforts to undermine our interests and values, we must continue to deter...them.”—[Official Report, 16 July 2018; Vol. 645, c. 24.] That is exactly what we have been seeing in the Council of Europe. As hon. Members have said, following the annexation of Crimea, the Council enforced sanctions on the Russian Federation. Six years on from the military aggression that we witnessed from Russia in Georgia, it continues illegally to occupy territory there.

We ought to be clear: there has been some confusion about this, but the Russian Federation has not been suspended from participating in the Parliamentary Assembly of the Council of Europe. It has taken the decision to remove its delegation from representing its credentials on the floor of the Hemicycle, following our unwavering support for the sovereignty of Ukraine, which is to the credit of all our colleagues in the Council of Europe—those from other countries as well as our own delegation.

Mr Liddell-Grainger: My right hon. Friend is completely correct to put it on the record that the Russians suspended themselves, but they are, irritatingly, still coming to the ad hoc committee, which my hon. Friend the Member for North Thanet (Sir Roger Gale) and I attend as well. They are coming back to the Council of Europe regularly in that guise.

Dame Cheryl Gillan: That is one of the confusions that has arisen, because the rules and regulations about what happens to a country that is in Russia’s position are unclear. I think that Secretary-General Jagland has a great deal of work to do to clarify the position, because the Russians coming back to the ad hoc committee has caused a great deal of consternation among many of our colleagues and not least to myself, because we cannot understand why they still have the right to sit at the table when we are in this hiatus where the money has been withheld and they have removed the rest of their delegation from participation in any of our committees and activities.

It is widely agreed that the violation of the sovereignty of states arose from an illegal referendum. I want to dwell on that for a moment, because I serve as the vice-president of the committee on political affairs and democracy and am also the rapporteur for the new rules on referendums. We have just completed a large report in this country, under the auspices of the constitution unit at University College London, looking at the rules in the United Kingdom on referendums. The independent commission on which I have served for the past nine months has come up with a series of recommendations for changes to legislation in this country, I am working with Dr Alan Renwick, who is now the international adviser to the Council of Europe’s political affairs committee on this matter, and I am working with the Venice Commission as it updates its rules on referendums, which is badly needed after 10 years, to try to bring more clarity to the situation.

That we have Russia in the Council of Europe at all is one of the key achievements of the post-cold war period. When it ratified its membership of the European convention on human rights in 1998, there was a real welcome for its inclusion, but in December 2015 it passed a law to allow Russian courts to overrule the decisions of the European Court of Human Rights, because it disliked those decisions. Russia was particularly exercised, as my hon. Friend the Member for Henley mentioned, by being told to pay $2 billion to shareholders of Yukos, but there have been many judgments that have irked both President Putin and the ruling party, and some of their behaviour has resulted from that. More than one third of the cases that come before the European Court concern Russia. To put that in perspective, in 2017 the Court dealt with 8,042 applications concerning Russia. Even though 6,886 of those were declared inadmissible, it delivered 305 judgments concerning 1,156 applications, and in 293 of those there was a finding of at least one violation of the European convention...
on human rights. Before I arrived in the Chamber I looked up the figures for 2018, and already 5,975 applications have been allocated to a judicial formation, of which 579 have been decided by judgment. There are currently a further 9,191 applications pending a judicial formation. That is a heavy workload, and is a reflection of the human rights situation.

The Council of Europe is no stranger to the practice of bringing together representatives of countries that have political and diplomatic tensions, and it acts as an important partner in the soft diplomacy required to bring resolution to intractable problems. What we are discussing is probably one such problem. We need to seek a remedy for the situation because at the moment 140 million Russians will be denied access to the European Court of Human Rights, and that is not something to be taken lightly. We should not capitulate and accept an unconditional deal, as that would set a precedent for those countries that are often accused of backsliding on democracy. It is important that the founding principles of the Council of Europe should not be held to ransom as it faces complicated financial issues.

Sir Edward Leigh: My right hon. Friend makes a good point. However imperfect the Russian Government’s attitude towards the Court, at least there is a chance that the 144 million Russians will continue to have access to a genuinely independent human rights court. That is why Russia must maintain its place on the Committee of Ministers—so that at least there is a chance of ordinary Russians getting access to the Court.

Dame Cheryl Gillan: The unilateral withdrawal of the funds that are important for running the Council of Europe and the Court is to be deplored, and I should like those funds to come back, but I do not believe we should give in to the blackmail. We need to stiffen the resolve of the Council of Europe and of Secretary-General Jagland. Money should not be more important than the democratic principles by which we all want to live. I hope for a resolution to the problem that does not involve rolling over and giving in to the Russians.

Several hon. Members rose—

Mr George Howarth (in the Chair): Order. I am not going to impose a time limit, but there are four Members remaining to speak, and I have to call the Front Benchers at 10.30. If Members can confine their remarks to between four and five minutes, we should be able to get everyone in.

10.14 am

Phil Wilson (Sedgefield) (Lab): It is a pleasure to serve under your chairmanship, Mr Howarth. I thank the hon. Member for Henley (John Howell) for securing this timely debate. It is important that the subject is being discussed in the House.

Our argument is not with the Russian people, but with the Russian Government—and, dare I say it—the elite. It will be the Russian people who end up suffering—in fact, they are suffering—because of Russia’s self-imposed suspension from the Parliamentary Assembly of the Council of Europe. Let us not forget that it is the Russians who do not present their credentials at the Council on an annual basis. Russia has also suspended its €33 million payment to the Council and has threatened to withdraw from it entirely. If that were to happen, the European Court of Human Rights would be denied to Russian citizens, whose cases take up a disproportionate amount of its time: about one third of the cases brought concern Russia.

The hon. Member for Gainsborough (Sir Edward Leigh) said that we could go on forever listing the types of cases, but there are a few that we need to mention: the imprisonment of children, phone tapping of journalists, holding prisoners in cages, failing to investigate high-profile murders, torture and detaining lawyers and judges. The Russian Constitutional Court has ruled that Russia should not be bound by all international human rights obligations. In June 2016 the Venice Commission for democracy—a body of the Council of Europe—issued a final opinion on the legal changes in Russia. The commission stressed that the “execution of the judgments of the European Court of Human Rights is unequivocal and an imperative legal obligation.”

It would seem that the relationship between the Russians and the Council of Europe is tense in any case, but it can be resolved over time. I am sure that if Russia remained a member of the Council of Europe, matters would have the opportunity to resolve themselves amicably in the years to come. However, although dialogue is important, so are the principles by which the Council of Europe is governed.

There are also the issues that the Parliamentary Assembly has criticised Russia for in the past, including the persecution of lesbian, gay, bisexual and transgender people in Chechnya; the Smolensk plane crash in 2010, which killed the Polish President; the refusal to send back the wreckage of the plane, which raises more questions than it answers; the politically motivated conviction of Ukrainians; and the condemnation of Jehovah’s Witnesses as an extremist organisation. The Russian Government say that their failure to implement the ECHR’s rulings is because of the fact that without Russian representation they do not have right to select ECHR judges and therefore they should not abide by the Court’s decisions.

The Russian people are the victims—but not the only victims. They are denied human rights protection at the highest level in Europe because their Government have taken the decision to invade another member state, so sanctions are imposed. Still, the Russian Government insist that it is not their fault that the Russian people are denied their human rights—those that any civilised society would want its people to enjoy. For the Russians, it is always someone else’s fault.

The sanctions on Russia should not be lifted. Countries cannot go around invading other member states of the Council of Europe and think they can get away with it. The financial hit it would inflict on the Council of Europe must be endured, I suppose. This is about principle and we need to seek a way through that does not deny principles. We can consider the human rights issues of the Russian people but we should also consider the rights of the Ukrainians as well. Russia—a country prepared to flout international norms—cannot get away with it.

I do not believe that we can view Russia’s relationship with the Council of Europe in isolation. Russia’s relationship with the Council of Europe is disruptive, disconcerting and
manipulative, and is part of a pattern that is intended to sow discontent and division on the European continent. That pattern includes the Council of Europe, Crimea, Ukraine, incursions into democratic institutions of other European states, and, indeed, in America—and the use of chemical weapons on the streets of Salisbury. It is part of a strategy to divide and rule—to disregard human rights, international rule-based order and the rule of law.

A populist nationalist Russian leadership believes it can make itself strong only by ensuring Europe is weak, and it will go to any length to secure that objective. Populist movements in Hungary, Germany, France, Spain and Italy, as well as Brexit itself, and President Trump in the White House all play into Putin’s hands. We must take that backdrop into consideration when we think about how we deal with Russia’s relationship with the Council of Europe.

10.18 am

Sir Roger Gale (North Thanet) (Con): I understand the time constraint, Mr Howarth, but because I am the leader of the UK delegation there are certain things that I need to say. I shall do my best to stick to five minutes, as you asked.

First, I congratulate my hon. Friend the Member for Henley (John Howell). I want immediately to express my appreciation for the collegiate attitude taken by the entire United Kingdom delegation to the Parliamentary Assembly of the Council of Europe, and for the cross-party basis on which we work in the interest of the United Kingdom.

I am particularly grateful for the support of my friend the hon. Member for Penistone and Stocksbridge (Angela Smith), who recently accompanied me to the Struthof concentration camp to lay a wreath. That was a stark reminder, in Alsace, of why the Council of Europe was founded and the principles on which it was founded by Winston Churchill and nine other countries after the war.

There is no doubt in my mind that Russia is in flagrant breach of the principles of the Council of Europe by its actions in Crimea, Ukraine and the Donbass; by shooting down a civilian passenger aircraft; by the invasion of Georgia and Moldova; by the poisoning of the Skripals; and, as has been mentioned by hon. Members, by its breaches of human rights across the piece. The list is almost endless.

I must underscore the fact that in 2014, following the annexation of Crimea, the Parliamentary Assembly suspended the voting rights of the Russian delegation, but they were not expelled. Aleksey Pushkov, the leader of the Russian delegation, stage-managed a press conference, walked out of the Hemicycle and led his delegation out of the Parliamentary Assembly. Since that time, it is the Russians who have declined to present their credentials. The idea that they have somehow been excluded is a myth. As has been said, the Council of Europe is a bicameral body and the Russians still attend and contribute to the Committee of Ministers. For reasons that none of us really understand, they have also been allowed to participate in Michele Nicoletti’s ad hoc committee.

My hon. Friend the Member for Gainsborough (Sir Edward Leigh) indicated that we took away the Russian voting rights, which is apparently why they are allowed to suspend their payments. I suspect that if Spain were to annex Gibraltar, which is a fairly direct comparison, my hon. Friend might have something to say about it. If the Spanish then persecuted part of the population of the Rock and imprisoned some of them, he might have even more to say about it. That is precisely what has happened in Crimea. The Russian Federation is clearly in flagrant breach of the terms of the convention on human rights.

Another myth, which has been said by Secretary-General Jagland and propagated by others, is that if Russia were expelled from the Council of Europe, the Russian people would not have access to the European Court of Human Rights. That is, quite simply, wrong. The Committee of Ministers has no power to expel Russia; it can only suspend. If Russia does not pay next year, the Committee of Ministers will do precisely that. That suspension, however, will not deny the Russian people the right to take cases before the European Court of Human Rights.

We are facing a straightforward attempt at blackmail. The secretary-general of the Council of Europe has realised that money is more important to him than principle and that he is not prepared to make the necessary budget savings to accommodate the loss of funding from Russia. The delegation that I am proud to lead is united in saying that principle is more important than money, that the Council of Europe is not for sale and that we will fight the proposals to readmit Russia—on its own terms and nobody else’s—in the presidential committee, the bureau, the rules committee and the next plenary session. Unless and until the Russians acknowledge the transgressions and make concessions themselves, they will not, for our money, come back into the Parliamentary Assembly.

Several hon. Members rose—

Mr George Howarth (in the Chair): Order. I will call Sir Edward Leigh next. If he could bring his speech down to three minutes, I will be able to get in the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone), too.

10.24 am

Sir Edward Leigh (Gainsborough) (Con): I fear I will be the grit in this debate, but maybe it will produce a pearl of a speech from the Minister—like him, small, but perfectly formed. I will see what I can do to put an alternative point of view, at least for the sake of debate. I am not one of Lenin’s useful idiots. I have no illusions about President Putin. Like everybody here, I could list all the appalling human rights abuses.

Mr George Howarth (in the Chair): Order. The three Front-Bench spokespeople have indicated that they are prepared to take a little less time, so we should have enough time for people to complete their speeches, although they will still have to be fairly brief.

Sir Edward Leigh: Thank you, Mr Howarth; I will try to make these points as quickly as I can. As I was saying, nobody doubts Russia’s abuses. We did suspend their voting rights because of Crimea.

Without getting into all the history, I should say that the history of Crimea is complicated and somewhat different from that of Gibraltar. Nobody, as far as I
[Sir Edward Leigh]

know, in the Council of Europe, the House of Lords or the House of Commons objected when Khrushchev wrested Crimea from Russia in the 1950s and transferred it to Ukraine by decree, against the wishes of the people. I am just now repeating the common view among Russians—it is important that we understand it. No one doubts that the Russian community in Crimea is in the overwhelming majority. Despite all the doubts about the exactness of the referendum, nobody doubts, surely, that the people of Crimea, having been part of Russia for hundreds of years, wish to remain part of Russia. This history is complicated.

Were we right to suspend their voting rights? I do not know. The Russians are a proud people. Russia is not a developed democracy like France or Germany. We cannot expect instant success. As a proud people, it would surely be too much to expect them, having had their voting rights suspended, to say, “Fair enough. We will carry on turning up without voting rights.” None of us would do that here, would we? If we had our voting rights suspended, none of us would agree just to sit around. That is their point of view and we have to understand it.

What of the future? I believe it would be wrong to kick Russia out of the Council of Ministers. As has been said, it is a bicameral system. The delegation and our ambassador talk the whole time. He engages robustly with the Russians. He puts across our point of view. We should constantly moderate, middle-of-the-road way. We should constantly engage robustly with the Russians through our Foreign Office and the Foreign Secretary.

The Council of Europe is not the European Parliament, nor is it this Parliament; it does not have executive authority. It is primarily, in my view, an inter-parliamentary union. When we admit people to that union, we accept that we have to take them warts and all. We know, for instance, that Azerbaijan has a bad human rights record and, although it has been found to be corrupting the Council of Europe, it is still a member. Surely it is better to engage—to have jaw-jaw not war-war—and at least make some effort to influence them. It would be a dangerous development if those 144 million Russians had no access at all to the European Court of Human Rights. It may be imperfect access, as I have said. The record of the Russian Government in obeying its judgments may not be up to standard, but at least it is some way forward.

I hope that, in those terms, we can view this in a moderate, middle-of-the-road way. We should constantly attack the Russians, stand up to them and condemn all their human rights abuse, but at least engage with them. I would be grateful if the Minister said whether he thinks that our ambassador, in doing all this work in the Committee of Ministers in the Council of Europe, is fulfilling a useful role.

10.32 am

Douglas Chapman (Dunfermline and West Fife) (SNP):
It is a pleasure to serve under your chairmanship, Mr Howarth. I start by putting a few things that have happened in the past 48 hours in context, regarding President Trump’s visit and discussions with President Putin. I thought the whole point of playing golf on a quiet Scottish golf course was to clear the mind and think about other things, but President Trump has left us in a much more confused and incoherent position than we were in at the end of last week. Many Republican party members have denounced not just his comments but his whole demeanour during that visit. Either way, it has destabilised the rules-based order and left us ill-prepared for future challenges.

I support and welcome the debate secured by the hon. Member for Henley (John Howell). The Scottish National party supports the pressure that the Council of Europe put on Russia following the annexation of Crimea. We are strongly committed to membership of the Council of Europe and recognise its pivotal place
and role in strengthening human rights across the world since its formation in 1949. We are concerned, however, about the UK’s withdrawal from the European convention on human rights, which sends completely the wrong signal to Russia. We should try to enhance the recognition of human rights in Russia and abroad. I hope the Minister will comment on that.

On Ukraine, our defence team recently returned from a visit to Kiev and the Donbass region. Russia has absolutely no right to be in Crimea, by any measure of international recognition of the rule of law. It has created millions of displaced people. We spoke to many families on the frontline in the Donbass region who are subject to daily shelling—they can time it almost to the minute; the shelling starts at 7 o’clock. They cannot move from their houses or flats because there is nowhere for them to go. That affects millions. Russia is creating dreadful problems in that region.

In Kiev, it does not feel like the country is at war, but dealing with the incursions on the massive border that exists between Ukraine and the annexed area of Crimea. Russia has absolutely no right to be in Crimea, by any measure of international recognition of the rule of law. It has created millions of displaced people. We spoke to many families on the frontline in the Donbass region who are subject to daily shelling—they can time it almost to the minute; the shelling starts at 7 o’clock. They cannot move from their houses or flats because there is nowhere for them to go. That affects millions. Russia is creating dreadful problems in that region.

On human rights, repealing the Human Rights Act 1998 would be a retrograde step. The European convention on human rights was a considerable achievement for the whole of Europe after the atrocities of world war two. It is effective in defining the common principles and standards agreed by almost all the countries across the continent. As I said, the UK’s withdrawal from the convention puts that in question. We need to consider whether that is appropriate.

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Many hon. Members present are hugely experienced in the politics, funding and fees of the Council of Europe, but I agree with those hon. Members who have said that retaining the principles of the Council should trump any issues around funding and maintaining as much dialogue with Russia as possible.

I started with President Trump, and I will end with him. It was important that during his visit he sat in Churchill’s chair at Chartwell. Many hon. Members have said that there should be jaw-jaw instead of war-war, and we should consider that way forward more fully, even after Salisbury and Ukraine. I hope that hon. Members who are involved in the Council of Europe can involve Russia in future discussions to ensure that we can rely on it as a valuable partner in the future and that relations are cemented rather than broken.

10.37 am

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): It is always a pleasure to serve under your stewardship, Mr Howarth. This important debate, secured by the hon. Member for Henley (John Howell), has roused strong passions and concerns about the significant issues of human rights and civil liberties.

The background is that, after the Russian annexation of Crimea in 2014, the Council imposed sanctions on Russia, and Russian delegates’ voting rights to the Parliamentary Assembly of the Council of Europe were suspended. That suspension has been renewed since.

In summer 2017, Russia suspended its annual payments of £33 million to the Council of Europe, as has been said. The Council of Europe rules state that member states that do not have their dues implemented will also be denied representation in the selection of judges for the European Court of Human Rights.

In November 2017, Council of Europe Secretary-General Jagland toured European capitals warning of the risk that Moscow could withdraw completely from the organisation unless the sanctions were lifted. He argued that that would be a blow to Russian citizens, as they would lose access to the European Court of Human Rights. It has been mentioned that they would not necessarily lose their right to use the Court, but they would lose the ability to implement its decisions.

Russian cases take up a disproportionate amount of the time of the European Court of Human Rights, and that has been highlighted today by the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan). In relation to what she said, the figures are quite significant, and we have to consider how we can try to influence that situation. Many aggressive stances have been taken over what Russia is doing, as there should be when it comes to human rights and civil liberties. Equally, however, a number of Members have said that we need to have more jaw-jaw rather than just war-war. So there is an issue here that we have to try to address in order to move forward. However, supporters of Ukraine and others argued against such a move, saying it would be a signal to other organisations, particularly the EU, that it was time to soften the position regarding the annexation of Crimea and Russia’s backing of the Crimean rebels in the Donbass against the Ukraine Government.

In March 2018, Russia announced that it was again withholding its payment to the Council of Europe. Many Russian citizens have taken their cases to the ECHR, and the number of applications to the Court has increased recently, as has been mentioned. In 2017, Russia was the country with the highest number of cases registered at the Court, with 370 cases, which put it some way ahead of Turkey, which had 138 cases registered, and Romania, which had 110. Also, Russia has the highest number of awards by the Court against it. Notable cases can be found in the Court’s Russia press country profile, which was updated in June 2018. However, despite what the Council of Europe regards as Russia’s legally binding commitments, Russia has not complied with some judgments of the Court. All these issues are very important in terms of human rights, and we have to consider how we can get those judgments implemented.

A number of Members have mentioned that the principles are more important than the money, and I wholly agree. However, we also have to consider what Russia is currently doing to work with the European Union, and particularly with Germany, on the Nord Stream 2 gas pipeline, which will bring in about 70% of the Russian gas exports that go to Germany. Currently, the Nord Stream 2 deal is not being negotiated, because of Denmark’s refusal to give Russia permission to lay the pipeline through its territory.

There are significant issues we can negotiate with Russia about to support the Russian people, who suffer huge human rights abuses. That is the important issue here: how do we support them? A number of cases have been highlighted, including the Polish plane crash and a
number of other issues relating to the LGBT community, particularly in Chechnya, where members of that community are completely ignored as a group of people and do not have a status. The only way that we can support such people is if we have some sort of discussion and ability to negotiate with Russia.

As far as I am concerned, that is the key here, and isolating Russia is not going to be a mechanism for moving forward. We have such a mechanism because of Russia’s desire to trade with Germany; we have to look at that. That trade can also help Ukraine, even though there is an issue with Russia’s Brotherhood pipeline, which comes through Ukraine. Actually, that pipeline earns Ukraine more than 2% of its GDP.

So there are significant issues that we can try to negotiate with Russia about in order to move forward and get Russia to honour its human rights obligations, its obligations to the Council of Europe and its obligations to the ECHR. Those are the significant issues we want to handle, and if we do not handle them and just completely isolate Russia, we will leave the Russian people completely to their own devices and without any international representation.

Mr Liddell-Grainger: The hon. Gentleman is making incredibly powerful points. However, having been a member of the Council of Europe for eight years, I gently say to him that Russia is determined to come in by the back door. It cannot come in through the front door because we, as western democracies, are saying, “No. We do not accept what you have been doing in Crimea and elsewhere.” I also gently say to him that one of the things we are trying to do—through our ambassador, the Foreign Office and other routes—is to make sure that Russia lives up to its responsibilities. We want Russia back, but it has to understand that what has happened is not the way to do things. I gently say that to the hon. Gentleman and no more.

Mr Mahmood: I think the hon. Member for Henley, who secured this excellent debate, made the point—and it is the essential point that I am trying to make as well—that if we completely isolate Russia, we will not achieve some of those objectives.

So I leave this to the talents of the Minister, who is more than able to negotiate. He should particularly take into account the relationship Germany has with Russia at the moment, our continued support for Ukraine over Russia’s Brotherhood pipeline, which goes through Ukraine, and the position that Denmark has taken in relation to pipelines. Those are the real issues that we should try to push Russia on, to get it to come to its senses and return to the table to negotiate an agreement with us.

Mr George Howarth (in the Chair): Before I call the Minister, let me say that I know he will need no reminding that it is customary to leave a short time for the Member who secured the debate to sum up. I call Sir Alan Duncan.

10.45 am

The Minister for Europe and the Americas (Sir Alan Duncan): Thank you, Mr Howarth, for calling me to speak and for your chairmanship of this debate.

I am very grateful to my hon. Friend the Member for Henley (John Howell) for securing this debate, because I genuinely welcome this opportunity to put on the record my appreciation and the Government’s appreciation of his contribution and that of all other hon. Members who are active members of the UK’s delegation to the Council of Europe’s Parliamentary Assembly, many of whom are here today. As a rapporteur, my hon. Friend has been at the forefront of the Parliamentary Assembly’s work on press freedom, and I know he was particularly active during the last session in highlighting Russia’s failure to honour its human rights obligations, notably in illegally annexed Crimea. I am also grateful for the contributions from all the hon. Members of all parties who have spoken today, in what is a very cross-party and enlightened endeavour in relation to the Council of Europe.

The defence and promotion of human rights is a fundamental part of our foreign policy. That is why the Council of Europe is important, as a pan-European institution working to advance human rights, democracy and the rule of law across the whole of Europe.

Russia has signed up to Council of Europe standards relating to human rights, democracy and the rule of law, but the Russian Government routinely disregard them. The Council of Europe provides a means to hold Russia to account, both in the Committee of Ministers and in the Parliamentary Assembly. I should just put on the record, to clarify matters so that anyone watching our proceedings understands the situation, that Russia continues to play an active role in decision making in the Committee of Ministers—it is properly called the Committee of Ministers and not the Council of Ministers—including on the Council of Europe’s budget, albeit that Russia is not paying towards that budget, and the Parliamentary Assembly of the Council of Europe did not suspend Russia’s rights to participate in debates, just its voting rights, as has been already explained.

I and ministerial colleagues regularly instruct the UK’s permanent representative at the Council of Europe to condemn the Russian abuse of human rights and to do so in the Committee of Ministers, and our permanent representative has worked hard to secure language in Committee decisions that binds Russia to those decisions.

The Committee of Ministers also requires Russia to execute judgments of the European Court of Human Rights, yet Russia continues to have a woeful record, both in front of the Court and in terms of executing the Court’s judgments. Most recently, the Committee of Ministers reaffirmed its stance on lesbian, gay, bisexual, transgender and intersex discrimination—a decision that binds the Russian Government to combat discrimination on the grounds of sexual orientation or gender identity.

Establishing and upholding internationally accepted standards in multilateral organisations is the absolutely fundamental starting point to improving the lives of the repressed and those who are discriminated against in countries where human rights are not routinely respected.

Their failure to do so completely undermines the rules-based international order.

Europe’s parliamentarians play a key role in the Council of Europe in upholding European values. In April 2014, in response to the illegal annexation of Crimea, the Parliamentary Assembly decided to restrict the Russian delegation’s participation in the Assembly...
by suspending their voting rights. Ever since, the Russian delegation has chosen not to participate in the Parliamentary Assembly.

My predecessor at the Foreign Office welcomed that action by the Parliamentary Assembly and the strong stance taken by the UK delegation at the time. I am grateful to UK parliamentarians for their efforts to maintain sanctions on the Russian delegation in the Parliamentary Assembly and for their continued work to shine a spotlight on Russia’s transgressions.

The Russian Federation’s decision in July 2017 to withhold its budget contribution to the Council of Europe was particularly egregious. The figure mentioned earlier today was £33 million, but I am advised that the figure is now higher, because Russia has missed three payments. The amount that Russia now owes is about £54 million. Its absence from the Parliamentary Assembly is entirely self-imposed, and its failure to meet its financial obligations also undermines the rules-based international system.

I have made it clear to Secretary-General Jagland that the UK wants Russia to address the reasons that led to the suspension of its voting rights in the Parliamentary Assembly of the Council of Europe in the first place before its delegation can enjoy all the rights that other delegations enjoy. Regardless of the sanctions applied in the Parliamentary Assembly, Russia must make all outstanding payments, including interest, in line with its obligations. If it does not, it will face further sanctions in the Committee of Ministers in July 2019 under the Council of Europe statute.

The international community has shown increasing resolve in dealing with Russian aggression and belligerence, and to reward Russia’s blackmail tactics in the Council of Europe would undermine that institution and the wider purpose of global foreign policy. Of course, the Council of Europe is not alone when it comes to being subjected to Russian pressure. We have all seen the actions that Russia has taken to undermine countries and other international institutions—instututions that have kept us safe since the end of the second world war. Russia flouts international law—most egregiously in Crimea, eastern Ukraine and Georgia. It interferes in other countries, whether that is the botched coup in Montenegro, the repeated cyber-attacks on other states or seeking in a malign way to influence others’ democratic processes.

Sir Edward Leigh: Those are warm words, which is absolutely fine, but what is the substance? Is it the view of Her Majesty’s Government that Russia should be expelled from the Committee of Ministers in the Council of Europe?

Sir Alan Duncan: I consider that I have replied to that question. It is not for me to dictate to the Council of Europe exactly what it should do, and that is why we are having today’s debate. I work with representatives in this room; I do not stand here to instruct them.

As we have heard, the sanctions against the Russian delegation to the Parliamentary Assembly of the Council of Europe were in response to the illegal annexation of Crimea, and Russia continues to take actions to destabilise its neighbourhood. At the Council of Europe ministerial meeting in May, my noble friend Lord Ahmad of Wimbledon called on Russia to support regional stability by recognising the independence and territorial integrity of its neighbours Ukraine and Georgia. Crimea is Ukrainian territory; the UK Government remain fully committed to upholding the sovereignty and territorial integrity of Ukraine within its internationally recognised borders. If Russia hopes that, sooner or later, the world will forgive or forget about what it did in Crimea and that Crimea-related sanctions will be lifted, it is wrong. The UK will not allow Crimea to be forgotten.

We have used our membership of other multilateral institutions to demonstrate our support for Ukraine’s sovereignty and territorial integrity, as I myself did last December at the Vienna ministerial meeting of the Organisation for Security and Co-operation in Europe. In June 2017, the UK supported a UN resolution on human rights violations in Crimea and eastern Ukraine, and at the UN Third Committee, the UK was in the core group supporting a resolution tabled by Ukraine on human rights in Crimea. Those resolutions continue to hold Russia to account for its illegal annexation.

I reiterate the UK’s commitment to the Council of Europe. We will continue to engage actively and help to find solutions to the challenges that the Council of Europe faces. In that light, I reiterate the UK Government’s firm commitment to ensuring the territorial integrity of Ukraine: Crimea is Ukraine, and Russia must be held accountable for its actions. Her Majesty’s Government look forward to continuing their strong working relationship with all right hon. and hon. Members who work so dutifully on the Council of Europe.

Sir Alan Duncan: It is not for me to make a judgment of that sort, and if I might say so, the words I have been uttering have not been—and should not be—particularly warm. We see it as the intention of Russia to exploit instability wherever it sees it. Whenever it sees a problem, instead of trying to solve it—as we would in our foreign policy—it tries to make it worse in order to divide. It seems to be the widespread policy of Russia to try to drive a wedge between the core alliances that protect the UK and our partners.

Sir Edward Leigh: Will the Minister now reply to my question, please?

Sir Alan Duncan: I consider that I have replied to that question. It is not for me to dictate to the Council of Europe exactly what it should do, and that is why we are having today’s debate. I work with representatives in this room; I do not stand here to instruct them.

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10.54 am

John Howell: I thank the Minister for his excellent reply. Can I make one point on behalf of all of us who serve on the Council of Europe? We not only enjoy it, but play an important part in what we think is a very important organisation, and it is a shame that the UK seems to be the only place in Europe that does not take it as seriously as others do. If there were one change that I would advocate, it would be for the UK to start to take the organisation seriously.

We have raised an important issue, but more important than that has been the quality of the debate that we have had. A number of people have already commented on how we operate across parties, and this is a brilliant example of how we do so. I am so grateful for the contributions that others have made to the debate.

This issue is not going to go away; this issue is important to us. My reason for bringing the debate was that we had an opportunity here in Parliament to collectively make a statement about what is happening in relation to Russia before the next part-session of the Council of Europe in Strasbourg, where we will have to
fight for this cause—we will have to fight for it again and again. If there is one thing that the debate shows, it is that we are united in what we want. We are united in our stand to make sure that human rights continue to be upheld in Russia by the Russian Government, and I look forward to our continued involvement in fighting that fight.

Question put and agreed to.

Resolved,

That this House has considered Russia and the Council of Europe.

10.57 am

Sitting suspended.

Swaminarayan School Closure

11 am

Mr Virendra Sharma (Ealing, Southall) (Lab): I beg to move,

That this House has considered the closure of the Swaminarayan School.

I am delighted to serve under your chairmanship, Mr Howarth, and I welcome the Minister to his place. We are all deeply saddened by the news of the Swaminarayan School’s closure after what will have been 28 years of academic, social and faith-based achievements. The school has consistently provided west London’s Hindu community with a space for gathering, education and growth. That is why so many parents have been in touch with me—concerned that they were not consulted, concerned that they have not had a chance to reply, and concerned for their children’s futures.

Pupils have flourished at the school since its founding in 1992, and it has turned out great leaders and thinkers from its fold. The Swaminarayan School has provided an invaluable service to the youth of our country, adding deeper meaning and purpose to their studies. It has nurtured an ethos of cultural diversity, and to this day adds richness and options to the breadth of British education. That diversity is part of what gives our country its reputation for being home to so many top-quality schools.

This academy in particular has met and exceeded the expected standards of a faith-based educational institution. No community, especially this one, could ever delight in the closure of such an institution. The Swaminarayan School has allowed students to receive a uniquely Hindu and British education, which grants them the opportunity to remain in touch with their heritage while getting a top-tier academic experience. There are no other schools in London that are the same, and we are losing an important part of our community’s culture.

As the school moves towards closure, perhaps it is time to recognise what it brought to the community. The students and their families deserve access to an education with the same ethos that Swaminarayan offered. The school had three main aims in its time. First, to provide a high-quality education, which parents are pleased to agree it did. Secondly, the school promoted Hindu values—values that I am proud chime with British values, but are uniquely diverse and tolerant. Thirdly, as an independent school, Swaminarayan was there to make a profit, and I am worried that the closure addresses that rather than the other two aims. There has, I believe, been a failure of communication, and the trustees and governors running the school have failed to fully explain why it is closing. Profit should be the last thing on the minds of those running any school, much less one with such an honourable mission as that of the Swaminarayan School.

I am pleased that on Monday the school publicly appealed to parents, and demonstrated a commitment to helping the children to complete their education. I am concerned about the details of the offer, and that the commitments being requested are unrealistic for many parents, but it represents a positive step forward. The failure to keep families properly informed of their plans
to close the school has left dozens scrambling to find a new place for their Hindu children to receive a faith-based education.

Education is not meant for profit, and any organisation that fails to share that sentiment is not fit to run an educational institution. I sincerely hope that after this event, organisations such as the Akshar Educational Trust will prioritise the impact of its decisions on families over monetary considerations. The Akshar Educational Trust has stated that the reason for closing the school relates to regulations introduced by the Government, though I must express my disappointment in the revelation that money may have been a driving factor in the decision.

Closure has left many families and pupils disappointed and feeling left behind by those who should be fighting for them. My colleague, Councillor Ketan Sheth, and my constituent, school parent Parag Bhargava, have been vocal about their disappointment in the handling of Swaminarayan School’s closure. Parag rightly states that the school can and should remain open. Knowing that the future of one’s child’s education is unclear creates great stress for parents and families. Regardless of the dissatisfaction that those connected to Swaminarayan School have been feeling lately, they continue to fight for their children’s education.

I applaud the parents of students and all others who are campaigning to keep the school alive. My hon. Friend the Member for Brent Central (Dawn Butler) has for many years been a fervent supporter of the Swaminarayan School. She has taken great effort to work with the community—first, to oppose the closure and now to mitigate the worst effects. My hon. Friend the Member for Harrow West (Gareth Thomas) has also gone to great pains to work with parents and the community to seek a resolution.

The hon. Member for Harrow East (Bob Blackman) has long been a firm supporter of the Swaminarayan School, and I thank him for his interest in the debate. As leader of the council, he was instrumental in securing the site on which the school sits today. Without him we would not have the Swaminarayan School that we do today. Other councillors in Brent and from across west London have contributed time and effort to the cause of the school and trying to secure its future. I cannot name them all, but I would like to thank them all. I also thank the trustee Dr Mayank Shah, who kindly gave a briefing to me lately.

Parents have taken a stand too, and many have bravely agreed to take on the responsibility of running the school and finding a solution to keep it from closing. That spirit of dedication and community reflects the great respect that people in the local area have for the school. Parents from my seat of Ealing, Southall and as far as Hounslow want to keep the school open. It is worth fighting to keep its doors open. Even though the future seems unsteady for the institution, those who care about the cause press forward.

Whatever happens, we will not forget the achievements of the Swaminarayan School. Its legacy will have a lasting impact on the Hindu community in Europe. As a Hindu school, it was the first and only one of its kind in Europe for many years. Although we welcome the success of other Hindu schools, the Swaminarayan School has offered a unique learning environment apart from the mainstream.

Stephen Pound (Ealing North) (Lab): I am sorry that I missed the beginning of my hon. Friend’s well-informed and interesting peroration. He talked about other parts of west London supporting the Swaminarayan School. Certainly in my constituency of Ealing North there are many supporters. The Swaminarayan School was the first school that I am aware of to incorporate yoga as part of its teaching curriculum, and also to be a completely vegetarian school. Does he agree that we can learn much from the Swaminarayan School?

Mr Sharma: I thank my hon. Friend for that contribution, which speaks for itself. I fully agree with him that the contribution that the school has made to society in general is great.

I will fight to ensure that the Hindu community of west London continues to have its needs met, despite the closure of an essential part of that community. The end of the Swaminarayan School is a great loss, but we are not lost. The community will continue to call for what it needs, and the Hindu community in west London is stronger than ever.

Mr George Howarth (in the Chair): Before I call the hon. Member for Harrow East (Bob Blackman), by leave of the mover of the motion and the Minister, I strongly remind him that the Minister has to have adequate time to reply. Bob Blackman.

11.10 am

Bob Blackman (Harrow East) (Con): I congratulate my honourable friend, the hon. Member for Ealing, Southall (Mr Sharma), on securing this important debate. I, too, made a request to the Deputy Speaker to have a debate on the subject. As the hon. Gentleman mentioned, I was leader of the council when the Swaminarayan School was created, and a large number of my constituents have children educated in the school, so there is a twin aspect to my interest.

We also need to remember the history of the site. Before the school became the Swaminarayan School, it was Sladebrook High School—a notorious school, which was state run. By the time it closed, there were more teachers in the school than children. It had failed dismally as a state school and had to be closed by Brent Council. It was then sold to the Swaminarayan Hindu Mission as a means to provide what was required at the time—as the hon. Member for Ealing, Southall mentioned, the first Hindu secondary school in the area and, I believe, in the country. Unfortunately, successive Governments failed to make the school state-aided, and it has been a fee-paying school ever since.

Parents demanded a Hindu ethos to their children’s education—and quite rightly, too. Other Hindu schools have been set up in north-west London, and I am delighted that we will very shortly be celebrating the opening of the first state-funded Hindu secondary school in my constituency, in September, when that site formally opens. Parents now face a choice: they can send their children to state-run schools with no fees at all or send their children to a fee-paying school.

Swaminarayan School has been an outstanding school and has had the best results at public examinations of any school in Brent. It has been an outstanding success. However, in these times, parents find it very difficult to
afford the fees and that has led to the need to make decisions. The school buildings are in a relatively poor state of repair and need substantial moneys to bring them up to modern standards.

I have a number of questions for the Minister that I hope he will deal with in his reply. The Swaminarayan School has made a decision to close. It could have closed this month, which would have been a disaster: more than 377 children would have no place in education and their education would be completely disrupted. The governors have made a decision to close the school over a period of time; they are not allowing new admissions and are running the school down.

What help can the Minister offer the parents of those children who want a school place elsewhere—not necessarily in Brent, but in the wider area—in a school that will have a Hindu ethos? How can the Minister work with the Avanti Schools Trust, the trust that runs the state-funded Hindu schools? What can the Minister offer to enable those parents and children to get places in schools?

The site has been a school site forever. I mentioned Sladebrook, which was set up a very long time ago when the Stonebridge estate was built, and it has been a school site ever since. What protection can my hon. Friend the Minister offer to ensure that the site is preserved for educational use? There have been all sorts of rumours about the intentions. My understanding from the trustees is that they wish to retain the site for general use related to the Swaminarayan Hindu Mission and they are not in the position of wanting to profit or make money from the site, but I would ask nevertheless what protections we can ensure are offered. What advice might the Minister be able to give to the local authority in that respect?

Thirdly, various rumours have reached me about the Avanti Schools Trust wanting to set up a Hindu school in Brent. That has been welcomed by parents in Brent who want a Hindu ethos for their children's education and it would give more parental choice across north-west London. However, it is suggested that there is a surplus of places in Brent schools at the moment and therefore setting up such a school would be resisted. I understand that there is a potential proposal for a school to be set up on what is loosely called the Northwick Park site. That is an opportunity for the matter to be advanced, which would help residents of Ealing, Harrow and Brent to get a Hindu-ethos education, if they so wish.

The governors have made the decision. I ask the Minister what comfort can be given to the parents of children in the school who are asking whether they could advance the idea of a free school run by parents. What would the process be for that?

With that, I will sit down. I hope the Minister will kindly answer those points, which the hon. Member for Ealing, Southall (Mr Sharma) on securing this important debate and on his opening comments.

11.17 am

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship, Mr Howarth. I congratulate the hon. Member for Ealing, Southall (Mr Sharma) on securing this important debate and on his opening comments.

My hon. Friend the Member for Harrow East (Bob Blackman) is, of course, right that the Government's academies and free schools programme has enabled a number of Hindu faith schools to be established in the state sector for the first time, as free schools set up by organisations such as the Avanti Schools Trust. He pointed to a new school opening this September under the free schools programme. There is also the Avanti House Primary School in Harrow and the Avanti House Secondary School, which were opened under the free school programme—the secondary was rated good by Ofsted in May 2018. There is the Krishna Avanti Primary School in Croydon and the Krishna Avanti Primary School in Leicester, again set up under the free school programme.

There are more than 2,300 independent schools in England, and between them they provide an enormous variety of educational experiences for our young people. Around 7% of children are educated in the independent sector, which is a significant contribution to our education system. Some schools in the independent sector will close and some will open. The independent sector also has a number of faith schools, which bring their own distinctive flavour. Schools with a religious character also play a strong and positive role in the state-funded sector, making up a third of all schools. They are some of our highest performing schools and are often popular with parents, giving them greater choice and the opportunity to pass on their ethos to their children.

Although the independent school sector as a whole is flourishing, with broadly constant numbers of schools and pupils over the past few years, it is inevitable that there will be changes. Every year, a number of independent schools close—usually about 70 or 80. Other schools open their doors in broadly the same numbers, but the profile of the sector tends to change over time in response to a number of factors, including market pressures. We should not forget that independent schools, whether run by charities or as businesses, operate in the marketplace. The decision to close an independent school is a matter for the owner or proprietor alone, except for the small number of cases when the Government seek to close a school because of a serious and extended failure to meet the independent school standards; that has not been the case for the Swaminarayan School.

Unlike state-funded schools, independent schools do not have to go through an approval process before they close. Although the owner or proprietor is asked as a matter of courtesy to inform the Department for Education that the school can be removed from the register of independent schools, there is no obligation to give the Department any details of the reason for closure. The Department passes what it knows to the relevant local authority, in case the closure results in demand for state-funded school places.

It is, of course, always a priority, whenever an independent or state school closes, to ensure that alternative schools are found for the pupils. My hon. Friend the Member for Harrow East is absolutely right to raise that important issue. It can be a very difficult time for families, and sometimes there are added time pressures. Families were told about the closure of the Swaminarayan School well in advance. That is not often the case, and it will assist parents who are currently sending their children to the school.
I turn to the closure. Although the school is not in the constituency of the hon. Member for Ealing, Southall, it is likely that many children from families in his constituency attend it. Naturally, those families will have found the announcement of the closure disappointing. It is a reasonably sized school: in January 2018, it had 420 pupils, although only 377 are expected to be there this September, and it caters for an age range of between two and 18 years. When it was inspected in 2014, the Independent Schools Inspectorate found that the provision was excellent. The October 2014 report says the school “enables pupils to obtain excellent standards in their work and to develop outstanding qualities as young people”.

It also says:

“Both at GCSE and in the sixth form, pupils benefit from first-class curricular arrangements, and from a wide-ranging programme of activities”.

That reflects what the hon. Gentleman said. As I said, there is no requirement to give the Department specific reasons for closure, but our understanding from statements supplied by the trustees is that the reasons are primarily financial, and that falling pupil numbers are the driver. The closure of all parts of the school is now planned to take place in 2020, to give parents the maximum amount of time to find alternative schools.

The school has a designation as a school of religious character and a declared religious ethos of Hinduism, although not all the pupils who attend are of that religion. It is right to acknowledge that the closure of a school with a specifically Hindu ethos is a matter of regret, simply because at present there are relatively few other schools of that nature in England. There are two primary academies, four free schools and an independent school. Most Hindu children attend schools in the state or independent sectors.

As I have suggested, there is nothing the Government can do to stop the closure now that the trustees have taken the decision. We do not fund independent schools, and nor do we come to arrangements that are designed to help them overcome financial difficulties. That is what being independent is about; it is not just about giving schools greater freedom to operate in the way they want.

I am sure the school will work closely with the local authority and parents to ensure that alternative schools can be found for the children who are still at the school in 2020. I will write to my hon. Friend for Harrow East about the site. If it had been a state school, there are particular provisions to ensure that the first option is for it to open as a free school. As it is an independent school, I will write to my hon. Friend in technical terms about whether there are provisions in statute that can enable the site to continue to be used for educational purposes, or whether it is free for the owners to dispose of as they wish. I will write to him to confirm that position.

I have listened very carefully to what the hon. Member for Ealing, Southall said. The priority over the next two years must be to ensure that the pupils who would have been at the school in 2020, had it remained open, are found alternative places.

Bob Blackman: One of the questions I asked—I apologise to the Minister, because they were not necessarily expected—was: what assistance can the Department give to parents who wish to set up a free school, if they wish to pursue that route? There are 377 pupils in the school at the moment.

Nick Gibb: We give a lot of help to groups that wish to set up free schools. The New Schools Network is the starting point of that help; once a proposal is in play, we will allocate an official in the Department to help it come forth. A number of Hindu free schools have already been established through that process, and I am happy to work with my hon. Friend the Member for Harrow East and the hon. Members for Ealing, Southall and for Ealing North (Stephen Pound), if they want to meet to discuss particular proposals for a Hindu free school to replace the Swaminarayan School.

Question put and agreed to.

11.26 am

Sitting suspended.
Domestic Abuse Victims and Family Courts

[Joan Ryan in the Chair]

2.30 pm

Jessica Phillips (Birmingham, Yardley) (Lab): I beg to move,

That this House has considered progress on protecting victims of domestic abuse in the family courts.

It is a pleasure to serve under your chairship, Ms Ryan. We are here, for what seems like the millionth time, to talk about any progress on and the still numerous problems in the family court. We have been here before. We sought approval from the Government, and made gains with them, on issues presented by the all-party group parliamentary group on domestic violence. Unfortunately, a general election then got in the way, so all the progress that could have been made was lost. It is important to mention that, because that lost progress is not just one of those things; it means that, during this intervening period, hundreds and hundreds more women are being treated poorly while we do not get our act together.

I must say a massive thank you to the right hon. Member for Basingstoke (Mrs Miller) and my hon. Friends the Members for Hove (Peter Kyle), for Great Grimsby (Melanie Onn) and, especially, for Penistone and Stocksbridge (Angela Smith). Together, as a cross-party group parliamentary group on domestic violence. We sought approval from the Government, and made gains with them, on issues presented by the all-party group parliamentary group on domestic violence. Unfortunately, a general election then got in the way, so all the progress that could have been made was lost. It is important to mention that, because that lost progress is not just one of those things; it means that, during this intervening period, hundreds and hundreds more women are being treated poorly while we do not get our act together.

I must also thank the previous Secretary of State for Justice, the right hon. Member for South West Norfolk (Elizabeth Truss), who took a huge amount of flak from some quarters, some of which I think was because she was a woman. She was the only person in a ministerial post who ever really listened to us about this subject. She broke the deadlock and got the Government to agree with us, and I cannot but think that having a woman in such a position was the reason that that happened.

I thank Women’s Aid, which has done so much campaigning in the area, and many others: this week I have received briefings from all over the place, including the Law Society, the Magistrates Association, Barnardo’s and SafeLives. There is often friction among specialist women’s organisations, the judiciary and lawyers with regard to issues to do with violence against women and girls, and the court system. Often the problem is that we do not all sing from the same hymn sheet. Every single one of the briefings, however, whether from the Magistrates Association, the Law Society or one of the specialist organisations, makes at least one of three recommendations to Government. I will therefore focus on those specific recommendations and ask the Government to do something about them.

The first relates to perpetrators being able to cross-examine victims in the family court. If the general public had any real sense that that was happening, they would be absolutely horrified. Members of Parliament have come up to me in this place to say, “You’ll never guess what about this case in my constituency, Jess—her perpetrator was allowed to cross-examine her in court.” They are stunned to find that that is allowed to happen.

The perpetrator was allowed to cross-examine her in court. That is allowed to happen in our family and civil courts every single day. It is a pleasure to fight alongside them.

Jess Phillips: Absolutely. It is, fundamentally, revictimisation and—if the Minister cares to browse the Equality Act 2010—illegal. There is a very real case for a public sector equality duty on the basis of gender to be made against existing practice in the family court. If such practice does not change soon, that is absolutely the route that people such as me will take, because our public sector is not meeting that duty.

Wera Hobhouse (Bath) (LD): I thank the hon. Lady for securing this incredibly important debate. Does she also agree that one problem in this country is that, still, only about 30% of judges are female? In other European countries the average is much more likely to be about 50%. In this country women often feel that their voices are not heard in that environment, thereby adding insult to injury. Terrible stories are being judged in court, but sometimes the women feel that they are not getting justice, simply because people often do not understand as no one else is female.

Jess Phillips: I absolutely agree with the hon. Lady. We have to change the nature of our justice system from one that is fundamentally old fashioned and, at its very core, fundamentally male.

Every single one of the organisations that has been in touch with me has suggested specialist domestic abuse and sexual violence training for those involved in making judgments. Later, when I read out some of the victim testimonials, we will hear about the things that victims have put up with in court. It is as if some of those judges have never met another person, let alone know anything about domestic abuse.

The idea that in this country—still, today, right now, in the courts—a perpetrator is cross-examining a victim of domestic abuse, perhaps in order to gain access to their children, is absolutely harrowing. James Munby, the outgoing head of the family division of the High Court, made it very clear that he wished the practice to end. It is, of course, not something that happened by accident or that we ever saw when I was working in domestic abuse services; the practice is a direct consequence of the changes to the legal aid regime made by the coalition Government and this Conservative Government. As a result, it is now the case that not only perpetrators but—we must not forget this—victims must act as litigants in person. That practice would never be allowed in the criminal courts in our land. The Ministry of Justice, whose Ministers sit across from me today, rules out the use of that practice in a criminal setting on human rights grounds, but the very same Department allows it to happen in our family and civil courts every single day.

Caroline Lucas (Brighton, Pavilion) (Green): The hon. Lady is making an incredibly powerful case. Does she agree that it is absolutely obscene that people who need help the most, at a time of such vulnerability, are denied
even the most basic support via legal aid to make their case? As others have said, that is revictimisation a hundred times over and it has to stop.

Jess Phillipps: Absolutely. The Minister will no doubt respond by saying that the Government have made changes to legal aid in civil and family court cases involving domestic abuse, but every single day I am notified of at least one case of domestic abuse victims not being able to access legal aid in the family court. I am writing lots and lots of letters to the Legal Aid Agency to remind it of its duty to victims of domestic abuse and of the ruling on how long someone has to be free from violence or abuse. That limit was changed from two years to five years by the Government, but that was thanks once again to campaigners taking them to court—the Government did not make that change out of the kindness of their heart.

Melanie Onn: My hon. Friend is being very generous in giving way. Has there been any analysis of the long-term mental health impact on victims of cross-examination by their perpetrators? The justice system is facilitating and enabling such cross-examination.

Jess Phillipps: I certainly do not know of any. I will mention the recent study by Queen Mary University of London, in partnership with Women’s Aid, of how people are treated in the family courts. I am not aware of any Government reviews of the effects of litigants in person and, more broadly, of people being cross-examined by people who abused them, but I would certainly like to see one. If our courts and the Department are happy for that to go on, it is only right that they review whether it should continue.

Queen Mary University of London found that 24% of domestic violence victims who had gone through the family court system had been cross-examined by their perpetrator—someone who may have raped them, kept them prisoner or made them look on while they abused their children. We have the “achieving best evidence” standards in this country. I am not sure I can remember the bit in those standards that says the best way to get evidence in a justice environment is to allow someone who is utterly terrifying and has abused the victim to question them. I am not sure that we currently meet any sort of standard for achieving best evidence.

James Munby made it clear that the hands of family courts are tied—they simply cannot stop that cross-examination. Legislation is not in place to allow them to stop it. I know the Government want to stop it, too, and I am glad they heard our calls about that. I suggest that they do it. When the right honourable—I am not sure whether he is right honourable, and I am certainly not sure whether he is right or honourable—Member for Christchurch (Sir Christopher Chope) embarrassed them on upskirting, a Government Bill was suddenly introduced to address that. It has been widely publicised that the House will sit for two days next week. I would gladly come back then to see through a piece of legislation that has been passed once already—it has already gone through rigorous scrutiny by the Clerks and the House. I would gladly pop down on a train from Birmingham to stop the cross-examination of victims of domestic abuse by their abusers.

The second area that everyone who has been in touch with me has given a lot of attention is practice direction 12J and new practice direction 3AA. I believe practice direction 12J was reaffirmed for magistrates courts and our family court system because, frankly, it was not being followed. For those who are not as geeky as I am about the old practice directions in the family court system, practice direction 12J basically undoes the idea that someone who has been abusive has a right to see their children. That is not an automatic right, especially in cases where there is domestic abuse. Practice direction 12J gives that steer to people making such judgments. I handled hundreds of cases involving domestic abuse, and I cannot say I ever noticed that practice direction being used. I have great faith in the Magistrates Association, and I believe from what it wrote to me this week that that direction has been affirmed.

I wonder whether the Minister will join me in stressing the importance of this very simple message: “If you beat, coerce, humiliate and abuse your children’s mother, you waive your right to be their father until the moment the non-abusive parent decides otherwise.” I am not saying for one second that no one who commits domestic abuse should be able to see their children, but they should not have a right to demand to see them where the non-abusive parent does not wish those children—and the children do not wish—to be put in that situation.

Alison Thewliss (Glasgow Central) (SNP): I thank the hon. Lady for securing this debate and for the speech she is giving, and I send solidarity from all the women’s aid organisations in Scotland, which want this change to be made, too. I understand that in England there is a presumption that the welfare of the child is best served by the involvement of both parents. That is not the case in Scotland, where decisions are taken on the facts of the case. Does she agree that looking at each case individually—looking at the facts of the case, the situation and the risk—is a much better approach than an automatic presumption?

Jess Phillipps: I totally agree. I can only praise Scotland for the progress it has made in this area. I very much would like the Minister to look at what happens there. I am sure it is by no means perfect, but it is a lot better than what we have here.

New practice direction 3AA requires courts to consider whether those involved in family proceedings are vulnerable and, if so, whether that is likely to diminish their participation in proceedings or—as I said—the quality of their evidence. What are the Minister and the Department doing to review the use of practice direction 12J following its reaffirmation? It has been around a long time. Can we conduct some sort of review of whether it is working or whether it needs updating, and of new practice direction 3AA? Both are key to ensuring that we can rebuild trust among victims of domestic abuse.

The third thing that every single person who has been in touch with me has raised is the issue of special measures in the family courts, which are woefully behind those in criminal justice proceedings. In some cases, the same woman may present at the same courthouse—literally the same building—and be offered different things. She would most likely be greeted at the door of the criminal court by an independent domestic violence adviser co-located in that courthouse, who would have arranged
different times for her and would explain the system and help her find the special area for her in the court. She may then walk around the back of the building and go through a different door into the family court, where someone may say, “Oh, there’s Larry—you can just sit next to him, regardless of the years of abuse you have suffered.”

There is absolutely no excuse for the tardiness with which we have reacted to something we have known about for a long time. At least since I came to this place, we have been raising the need for separate rooms, separate arrival times and better evidence-giving opportunities, so that people do not just have a curtain around them but can give evidence from elsewhere via video link. Those are well-trodden practices in our criminal court system, but for some reason in the family court we seem unable to recognise that there is a victim. The fact that family court proceedings are civil proceedings in which both parties are considered equal does not mean that both parties are equal.

Wera Hobhouse: The hon. Lady is being generous in giving way. A number of my constituents who have gone through traumatic and abusive divorces have raised concerns with me about the family court. Is it not terrible that women do not feel our legal system protects them at the time they are most vulnerable?

Jess Phillips: I agree entirely. The plain and simple fact is that currently it does not protect them. The family court system fails victims of domestic abuse more often than it succeeds. I say that with absolute confidence.

Melanie Onn: What does my hon. Friend consider the ramifications of that failure to be for those victims? Does she think a lack of confidence in the judicial system, and particularly in the family courts system, could give rise to people staying in a domestic violence situation, thereby prolonging their situation and perhaps causing greater damage to their health?

Jess Phillips: There are lots of case studies in the papers in front of me where the consequence of a lack of trust or of a lack of safe and free access to our justice system is that women return. Women are now convinced that they will not win in a family courts setting. I would stay with somebody who beat me black and blue every day if it meant that I got to watch over my children and did not have to leave them alone with him. If someone has a violent partner and the choice is, “Leave them with this man, who you know is violent, or take the beating on behalf of your children,” we would struggle to find a single parent in the land who would do anything other than return.

The worst ramifications are, of course, that we are leaving people in violent homes. My hon. Friend the Member for Penistone and Stocksbridge has handled one of the worst cases of failings in the family courts—the case of her constituent Claire Throssell, who is a personal hero to many of us in this House, and my hon. Friend will talk about that later. The ramifications are the deaths of women and the deaths of children. That can no longer go on.

I cannot understand why the special measures issue has not been sorted yet. It is not that hard to sort out. Every single court in the land has a robing room for the judges. How about putting the victims in there? I think the judges could put their robes on in the corridor. We manage it—I put my coat on just earlier. I have a fancy job, but I do not need a special room.

On the issue of special measures in courts, James Munby has said:

“In too many courts the only available special measure is a screen, or curtains round the witness box. What, for example, about the safe waiting rooms for which the APPG has...called?”

I feel that he is personally talking to me in this quote. He goes on to say:

“The video links in too many family courts are a disgrace—prone to the link failing and with diabolical sound and picture quality... The problem, of course, is one of resources, and responsibility lies, as I have said, with HMCTS and, ultimately, with ministers.”

Those are the words of the outgoing president of the family division. Special measures are something we should invest in, and we should do so immediately. I welcome whatever the Minister can say today about any schemes currently in place to improve the situation, because 61% of the women surveyed by Women’s Aid and Queen Mary University of London were offered no special measures at all in the family courts.

Another issue that was raised was specialist support and advocacy for women going through the family justice system. I believe schemes are under way to pilot that issue up in the Northumberland area, where the brilliant Dame Vera Baird is the police and crime commissioner. There will be lots and lots of evidence of the value of the independent domestic violence adviser role in the criminal court and in community-based domestic violence services. With independent sexual violence advisers, the arguments are long ago won: having these advisers maintains victims within the process and means that they understand the process and can continue to try to get their rapists convicted.

There is no Government scheme or nationally recognised network for women facing civil issues through the civil courts, and I might argue that there is a far greater need there, not only because of the issue of litigants in person, but because—in an era when we have no representation for a lot of these women and many do not have any legal aid—having a system of advocacy in our family courts so that victims can understand exactly where they are meant to sit and what they are meant to present is something the Government should look at funding. Independent domestic violence advisers were launched under the last Labour Government, with match funding from local authorities and the Home Office, and I recommend that the Ministry of Justice creates a similar scheme, in partnership with the Home Office, for the family courts system. Certainly, every single one of the organisations that wrote to me called for that.

The next issue that everybody raised, which we have already touched on, is legal aid. Legal aid is currently available to victims of domestic abuse going through the family courts system, but that is still on a means-tested basis. There are all sorts of reasons why that system continues to fail victims of domestic abuse, meaning that they cannot access legal aid. The Law Society, which has written jointly with Women’s Aid to the Secretary of State for Justice, has called for a review
into all the things I am talking about, but it and the
Magistrates Association wanted me to stress today that
the capital element of means-testing for legal aid is
massively disadvantaging women.

Yes, a woman may well have been left after her
ex-partner has put her through the wringer and no
doubt left his name on her property, and it has probably
taken her two or three years to get it off. She has already
been through all that process, and she has managed to
maintain a home where she and her children live, and
that home now means she cannot access legal aid. I am
not talking about the people who buy houses around
Westminster; these are people living in my constituency,
where it is about £120,000 for a three-bed semi, with
one car on the drive. They are not rich people, and their
capital means nothing in terms of their ability to pay.
We cannot for a second suggest that they should be
selling their house to protect their children from a
violent perpetrator, yet, seemingly, we do suggest that.

Everybody has called for an end to the capital means
test, which in many circumstances means that the equity
in someone’s home should be used to fund legal costs.
Of course, that is a double-edged sword, because if I
were to use the equity in my home, I would then lose
my home and would be much less financially secure—and
when a woman is not so financially secure and has a
precarious housing situation, it will be about 15 minutes
before a social worker is saying to the Children and
Family Court Advisory and Support Service that she
should not be looking after her children, and we will
end up in exactly the same situation we were in at the
beginning. We are exacerbating things.

I am here to tell hon. Members from personal experience
that, currently, victims of domestic abuse in the family
courts system are, more often than not, unable to access
legal aid. That has to change. The problem in the family
courts with perpetrators, which I highlighted at the
beginning, has been caused by this Government’s policy
on legal aid—let us not use these things to twist the
knife.

Jessica Morden (Newport East) (Lab): May I also
add the support of Welsh Women’s Aid and campaigners
such as Rachel Williams from Newport, whom my hon.
Friend knows, for the debate? Is it not the case that such
situations become more difficult because victims can be
forced to return to family and civil courts time and
again?

Jess Phillips: Absolutely. I will mention Rachel in
closing. It gets lost that coercive control does not stop
when a woman leaves her partner. Women’s risks massively
increase once they leave, and they are more likely to be
murdered. In Rachel’s case, this was when the most
harrowing consequences played out for her and her
children. Coercion does not all of a sudden go away, and
we—the state—allow perpetrators to re-victimise
women again and again by hearing the same case over
and over.

There are judges who try to stop that pattern of abuse
in courts, but they are not the norm. There are hundreds
of cases in which the same woman will be taken through
the wringer again and again. She will be told that she is
mad, and things will be given to the court to show that
she is mad. And, yes, she is mad: she has been driven
mad by having to fight the same battle again and again.

There has to be some limitation. A line has to be drawn
in cases where domestic abuse is evidenced. That is
incredibly important.

Let me move on to CAFCASS. I may start forwarding
all the complaints I receive about CAFCASS to the
Minister. I have an entire folder in my email inbox
called “Complaints about CAFCASS”, which has around
800 emails in it. I get them from people from all over the
country, and because I am standing up and saying this, I
will get hundreds more. I create a file of all the problems
that people have with CAFCASS.

There is a constant feeling that the children and the
women are not listened to, that their experiences of
domestic abuse are diminished, that they are considered
to be in the wrong and that they have to constantly
prove that they are telling the truth and have understood
their own experiences. The main complaint I receive is
that CAFCASS does not pay nearly enough attention to
listening to children, which is a grave error. Barnard’s
said exactly the same in a submission to me—that there
is a barren wasteland in all of this when it comes to
listening to the voice of the child. We must work much
more closely with them.

SafeLives sent me a series of briefings on its concerns
about CAFCASS’s parental alienation models. We will
all have heard about parental alienation from some
idiot dressed as Spider-Man crawling up the side of a
building—the idea that women purposefully alienate
children from their fathers is well known.

Those people have won the war of rhetoric. If we ask
anyone in the street whether they think family court
proceedings are more likely to fall in favour of a man or
a woman, every single one would say it was more likely
to fall in favour of a woman. The reality is entirely
different. In cases of the most severe domestic abuse,
38% of violent perpetrators—people who have been
criminalised for abuse—are granted unsupervised access
to their children. It is absolutely not the case that family
courts are favourable to women. CAFCASS plays a
severe role in marginalising women in that process.

Rachel, who has already been mentioned, sent me
199 pages of testimonials this morning, with about
10 to 13 testimonials on each page. That is thousands of
testimonials about the situations that women face in the
family courts. I will read a couple out:

“CAFCASS is not working in the best interests of the children,
who are victims of domestic abuse themselves”;

“CAFCASS is enabling the perpetrators of abuse to gain more
control”;

“CAFCASS did not talk to my children, who, too, are victims.
Their voices were nowhere on the accounts”;

“They think that abusive partners are good dads”;

“They were incompetent, stupid, easily taken in by a manipulative
perpetrator and aggressive towards me. One woman couldn’t even
be bothered to know my name. They called my 999 call a ‘minor
disagreement’ in their official records. They are a complete disgrace”;

and,

“I, too, have had a terrible time with CAFCASS and the family
courts. They were more supportive of my abusive ex than actually
listening to my kids. Also, when my son made a statement and
listened to the voice of the child. We must work much
closer with them.”

Those are just a few. Accounts were sent to me over the
weekend from women who said that their perpetrators,
some of whom had to be handcuffed, and who even

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kicked off during the family court proceedings, were congratulated by judges for remaining calm.

There is testimonial after testimonial from women who have been stared down by their partner and have capitulated in front of judges, just to make it stop. It is our responsibility to make it stop, so will the Minister commit to a timetable for when it will? I know that the Government want to stop this, but when will we actually do it? If I were to review the Government’s current policy, or this era in politics, I would write, “We did a review.” I ask the Minister to actually do something.

3.7 pm

John Howell (Henley) (Con): It is a pleasure to serve under your chairmanship, Ms Ryan. I congratulate the hon. Member for Birmingham, Yardley (Jess Phillips) on securing this important debate. I also pay my respects to organisations such as Women’s Aid, which have raised many of the issues that have been discussed—specifically, judicial attitudes.

I know some of the difficulties with judicial attitudes because I did an Industry and Parliament Trust fellowship in the law courts, during which I spent almost three weeks sitting with judges. If she has the time, I urge the hon. Lady to undertake such a fellowship in the specific courts of interest to her, so that she can participate in how they work and see how they could change to achieve some of the aims that she holds so dear.

The one aspect of this issue that I raise above all others comes from my membership of the Council of Europe: the Istanbul convention. It is very important to the debate. [Interruption.] I see the hon. Lady nodding, so she knows of it. I mention it because it sets minimum standards for how domestic abuse and violence towards women and girls are treated in the member countries. Its primary aim is to protect victims. That is a very important point to bear in mind.

The convention ensures that domestic violence and rape crisis shelters are set up and that helplines and counselling are available for victims. Although the UK has signed the Istanbul convention, it has not yet fully ratified it because we still need a legal means of bringing elements of it into our legislation. Given that we are one of the countries that helped to produce the Istanbul convention, I hope that we move quickly to ratify it. If I may, I will read a brief quote from it:

“there can be no real equality between women and men if women may, I will read a brief quote from it:

...emotional”

issues. That range of different abuses shows that there is a great attitude among the judiciary: to change and try to incorporate a much broader spectrum of activities.

In our response to the Sentencing Council, we said that such offences need to be seen as particularly serious and not ranked on a par with other offences; they need to be sorted out as really important offences. Overall, we said that they needed to be condemned in the strongest possible terms. One of the paragraphs in the report stated:

“...emotional”

“We recognise that recorded offences related to domestic abuse are largely, but not exclusively, perpetrated by men and boys against women and girls.”

I was pleased to see that the judiciary has moved some way towards doing that and has begun the training required. The need for training has been recognised.

Wera Hobhouse: I heard the most heart-breaking story a year ago from a Bath constituent about a CAFCASS worker. She felt that the social worker allocated to help her through the process was absolutely not sympathetic and seemed not to have had any of that training. Should the training not also include the social workers allocated to help women through the process? Should not women have the right to pick the social worker to work with them?

John Howell: I agree with the hon. Lady that the training can incorporate a large number of people, but we are dealing here with the courts and what we want to happen there. I am simply saying that the need for training has been recognised in the courts. It is also important to ensure that domestic abuse cases are flagged up properly as they pass through the court system so that everyone knows what is a domestic abuse case and can help to smooth it along the way.

To go back to the guidelines, they are overarching and recognise that a defining characteristic of domestic abuse is the harm caused. That harm goes to a violation of trust, which is a crucial element. Trust is a very important thing that we hold dear, and we should take that into account.

The third element that I want to touch on is the Government’s domestic violence consultation, which came out recently. I hope the Minister will provide information about how the process is going and the sorts of questions that will tackle the important issues we have raised today. I do not have a vast array of case studies of my own to share, but I have my experience of dealing with the courts; I also have experience, as has
the hon. Member for Penistone and Stocksbridge (Angela Smith), of the Council of Europe and the Istanbul convention. I urge the Government to try to ratify the Istanbul convention as quickly as possible.

Several hon. Members rose—

Joan Ryan (in the Chair): Order. I am sure everybody is aware of the time. I intend to start calling the Front Benchers at 3.40. If the three remaining speakers limit their remarks to about seven or eight minutes, everybody should be able to speak for a decent amount of time.

3.17 pm

Angela Smith (Penistone and Stocksbridge) (Lab): It is a pleasure to serve under your chairship, Ms Ryan, as my hon. Friend the Member for Birmingham, Yardley has already asked? Will the Minister outline the timetable for ending cross-examination of survivors by their perpetrators as, again, my hon. Friend the Member for Birmingham, Yardley pointed out. We need the special measures that she talked about to be introduced. Finally, a domestic abuse Bill is on the horizon; the consultation on the White Paper is complete.

The Bill will need to be substantial, thorough and comprehensive, but it will have to show breadth in the scope of its provisions. Women's Aid's most recent report “What about my right not to be abused?” gives a damning verdict on the treatment of domestic abuse survivors in the family courts. I encourage all Members to read it and I encourage the Minister, in particular, to meet with Women's Aid to discuss the recommendations in the report. It covers various aspects of the family courts, but I want to focus in particular on child contact, as it was the child contact policy that took Claire's boys from her.

The report makes it clear that the "culture of contact at any cost" persists—something that my hon. Friend the Member for Birmingham, Yardley pointed out earlier. There are several accounts of contact centre workers persuading terrified children to go and meet their fathers. One woman talks of a centre considering putting her daughter in a room and allowing her father to "ambush" her unexpectedly; those were their words, not mine. One woman said:

"They've taken away safety from my child and I pray nothing will ever happen. If it does I will always feel guilty but in the end there is nothing else I can do."

That is exactly what Claire has set out to change. She wants our family courts to put children first, and to recognise that a man who abuses a wife or partner is more likely than other men to abuse his children. Those accounts and many others paint a picture of a court system that does not protect women and children, but rather perpetuates abuse, makes vulnerable people feel intimidated and puts the lives and safety of women and children at risk.

With those considerations in mind, I want to ask the Minister directly to outline the scope of the domestic abuse Bill and the accompanying measures. Those measures will be very important—particularly, I hope, in relation to CAFCASS. Will she confirm that reform of the family courts is on the agenda? The distinction between criminal and family courts in this context seems totally arbitrary; it certainly is for survivors of domestic abuse. Will the Minister outline the timetable for ending cross-examination of domestic abuse survivors by their perpetrators as, again, my hon. Friend the Member for Birmingham, Yardley has already asked?

So far two legislative opportunities have been missed. We cannot afford to delay any further. Will the Minister ensure that no parent who is awaiting trial, on bail, or
facing ongoing criminal proceedings for domestic abuse will receive unsupervised contact with a child? Will she also set up a clear mechanism so that inappropriate referrals to contact centres can be challenged? There are many more questions I would like to ask, but I must begin wrapping up. It is clear from the report that the family court system as a whole is not fit for purpose. Will the Minister consider running an independent inquiry into the handling of domestic abuse by the family courts? It is clear to me that a root-and-branch policy review is needed.

I remind Members again of the 2016 debate. I said then that it showed the House “at its finest”. We agreed on the need to take action and broadly accepted the course that needed to be taken. However, I also said that “all of this means nothing until we see effective change.”—[Official Report, 15 September 2016; Vol. 614, c. 1119.]

Here we are, two years on, and Claire is still campaigning. Her two boys are yet to see justice. Claire has been a great teacher for me and a true inspiration. She possesses a deep spirituality that has enabled her to refuse the temptation to pursue a path of vengeance and hate. She has chosen instead to believe that love can triumph over hate and that good can triumph over evil. In doing that she has taken with her the whole community where she lives in Penistone, as well as, I believe, the whole parliamentary community. Claire has taken us all by the hand and enabled us to believe that we can be better, that our society can be better, and that her sons’ deaths need not be in vain. We cannot afford to delay longer; to delay is to put lives at risk. With Jack and Paul in mind, I ask the Minister: please act quickly.

3.27 pm

Paul Scully (Sutton and Cheam) (Con): It is pleasure to serve under your chairmanship, Ms Ryan. I congratulate the hon. Member for Birmingham, Yardley (Jess Phillips) on securing the debate and on her amazing and powerful speech. Hansard does not record blushes, but she has done a fantastic job, as ever, on an important subject.

When we talk about domestic abuse in this place, there is often a lot of commentary along the lines of, “What about the men?” Of course, we know that women are not the only victims of domestic abuse, but it is an unassailable truth that the vast majority are women, so I make no excuse for the fact that we are concentrating on women predominantly, and Women’s Aid has been an invaluable organisation in pushing the campaign on this issue.

I look forward to the introduction of the domestic abuse Bill. We have all been working towards it and pushing for it, and it will be welcome. I understand that one of the main reasons for the delay was that we were trying to get a good, rounded definition of domestic abuse and coercive control so that there can be legislation. In the 2016 debate, I raised a couple of examples of coercive control, one of which involved a family member of mine, to show that it is not something that just happens to other people. It can happen to people of any background, from any geographical area. The woman in question had a tracker put on her car—that was the level of control that the man wanted. That makes me think, “Crikey, what would have happened if she was in court with him?” if she faced that level of coercive control. That level of control, which might start with a tracker, can mean a repeat of abuse in court, bringing up time and again the previous horrific instances.

Before we look at what we are pushing for in campaigning, it is important to acknowledge the good things the Government have done. The hon. Member for Birmingham, Yardley correctly said that, in too many cases, there are still curtains and screens around certain areas. However, family procedure rules part 3A and practice direction 3AA came into effect only in November last year, and they will, unfortunately, take time to get through the court system—indeed, certain areas that require separate waiting rooms might even need new construction.

None the less, more can clearly be done, and I take the hon. Lady’s point about robing rooms—we have one of those here, so perhaps we can think about that as well. We must speed up action to ban perpetrators from cross-examining victims in court, because there cannot be anybody in this place who believes that that is right. Women’s Aid has said that a perpetrator can be seen as a violent criminal in a criminal court but as a good enough parent in a family court, which is patently ridiculous.

The hon. Lady mentioned the need for more female judges. Clearly, the numbers and percentages are too low, but that in itself is not necessarily the origin of bad judgments. Indeed, it was a female judge who sent Ellie Butler back to my constituents in Sutton, which resulted in her death shortly afterwards. We need judges who are not out of touch and who can relate to people—the hon. Lady referred to that. We need a judiciary that can take a rounded position, in the same way that anybody outside a court room might think, “My goodness. This is so obvious. Why are we not doing it?”

In conclusion—I know other Members want to speak—let me say to the Minister that I am looking forward to the domestic abuse Bill. If I can help in any way in formulating it and pushing it through this place, I would be more than happy to do so, because we have been waiting for this Bill for so long.

3.32 pm

Jim Shannon (Strangford) (DUP): It is always a pleasure to speak in these debates, and I congratulate the hon. Member for Birmingham, Yardley (Jess Phillips) on setting the scene. She is obviously very passionate when it comes to this subject, and she tells her story straight from the heart. She does that well, and I appreciate the opportunity to contribute to this debate.

Statistics for domestic abuse throughout the UK are astounding. The prevalence of such abuse is difficult to measure, but the English, Welsh and Northern Irish police receive calls about domestic abuse-related incidents every 30 seconds, which gives an idea of the magnitude of what is happening across the United Kingdom of Great Britain and Northern Ireland.

In 2014, a report by Her Majesty’s inspectorate of constabulary, “Everyone’s business: Improving the police response to domestic abuse”, deemed the police response to domestic abuse “not good enough”. As the hon. Lady and other hon. Members have said, if that response is not good enough, what are we doing to improve it?
I always look to the Minister for a substantive response, which I know we will get, but I hope she understands that there is a bit of frustration about what has happened so far. A follow-up report by the HMIC was published on 15 December 2015. Entitled “Increasingly everyone’s business: A progress report on the police response to domestic abuse”, it found positive changes, which was good news, but concluded that there is still room for improvement. We must consider what further steps we can take.

Being the victim of, or witnessing, domestic abuse, can have serious long and short-term physical, psychological and social effects. Numerous police interventions that are victim-focused or perpetrator-focused are currently in use or being trialled. According to statistics published on the website of the Police Service of Northern Ireland, around 29,000 domestic abuse incidents were recorded in 2016-17—the most in more than a decade. I know this is a devolved matter, or at least it would be if we had a working Assembly, but at the end of the day we must address it.

The level of recorded domestic abuse crimes dropped for a while, but that was not enough. In 2016-17, 69% of domestic abuse crime victims were female and 31% were male. More than 50% of relationships between domestic abuse victims and offenders were categorised as being between current or ex-spouses or partners.

I have spoken several times on this issue in Westminster Hall and the main Chamber, and I have asked for support for people who are abused. I have also raised the lack of prosecutions, which I believe to be linked to fear of reprisal. We must hope for things to be different. A Women’s Aid worker once told me that these women go back to their abusers because they have no hope, and that is the story I hear as the elected representative for my constituency. When someone is hopeless, they are also helpless, which worries me greatly. We need to provide support that brings hope that things can and will change.

The Crown Prosecution Service’s 10th report on violence against women and girls outlined the huge increase in the number of convictions—48% for rape and 79% for other sexual offences—that we have witnessed since the first report was published in 2007-08. That report also showed large annual increases over the last year in prosecutions and convictions for rape, at 11.8% and 11.2% respectively, and for other sexual offences, at 12.5% and 14.7%. Along with domestic abuse, such offences now count for one fifth—19.3%—of the CPS’s case load, which is up from 7.1% just 10 years ago. That is a massive step. Domestic abuse prosecutions have risen by 47%, and convictions by 61%, over the last 10 years—a welcome indication of progress.

However, this year’s report shows a decrease in domestic abuse prosecutions and convictions compared with 2015-16, following a two-year fall in referrals for domestic abuse from the police to the CPS. There is clearly a breakdown that must be addressed if we are to have more successful prosecutions, and, to me, that is all about support. Support must be available when the call to the police is made and when the police leave, and there must be someone available for the victim to talk to so that they feel secure. Someone should be available through the CPS to sit alongside the victim and offer assistance, as well as to be a shoulder to lean on and perhaps sometimes to cry on. Support should be available during the trial and afterwards. Hope for a new future and a new life must be given from that first phone call reporting the abuse until the person is settled in their new life. We must follow a process to ensure that happens. Anything less than that cannot be acceptable, and all Departments must accept their responsibility and duty.

On average, there are two domestic killings of women each week, which accounts for 40% of all female murders. If we are not shocked by that, there is something wrong. Some time ago, the hon. Member for Birmingham, Yardley spoke on this issue in an Adjournment debate in the main Chamber—I was present for that as well—and we must all uphold our duty of seeing the number of these killings reduced to zero. The way to do that is to support the men and women who are abused, so they know there can be a different future—a future with hope and purpose, for which it is worth pushing through the emotional quagmire, and standing up and telling the abuser, “No more.” The police have a role to play in that, as do the courts. We in this House have a role to play, as does the Minister, in securing funding and appropriate legislation. So let us ensure today that we play our part.

3.38 pm

Gloria De Piero (Ashfield) (Lab): It is a pleasure to serve under your chairship, Ms Ryan, and I thank my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) for securing this debate. Since entering Parliament, she has campaigned tirelessly on behalf of women in her constituency and across the country, and she has pushed domestic violence up the Government’s agenda. I am in awe of her work.

Even today, domestic violence remains one of the most under-reported crimes, and in Britain one woman is killed every three days by a partner or ex-partner. According to the Office for National Statistics, four in five victims of partner abuse did not report the incident to the police last year. Although some progress has been made in recent years, victims still talk of battling to be believed by a system designed to protect the perpetrator. Even worse, the process of reporting abuse can be re-traumatising in itself. Victims talk of having to re-live the experience over and over again—first with the police and then in court, all the while dealing with the fear of reprisal from the perpetrator.

If we want to eradicate domestic violence from this country and have a truly accessible justice system, we must make that system more open and supportive to survivors of domestic violence. Today, however, we are a long way from that goal. The Government’s removal of legal aid for family law cases in the Legal Aid, Sentencing and Punishment of Offenders Act 2012 had a catastrophic impact on access to justice for victims of domestic violence. Between 2012 and 2017, applications for civil legal aid in cases involving domestic violence fell by 20%. The imposition of a five-year limit on evidence and the restriction of evidence forms meant that 48% of female survivors were unable to meet the new requirements and were left without access to legal aid. According to Women’s Aid, the result was that victims were either prevented from fighting their cases or forced to represent themselves in person and risk being cross-examined by their partners.

In December, I uncovered figures showing that the number of domestic violence victims representing themselves in the family courts had increased by 147% since
LASPO’s introduction. Recent figures from the Ministry of Justice show that the number of people without representation in domestic violence proceedings reached record levels in 2017. Imagine facing the decision between representing yourself in court, without legal support, against an abusive partner, and risking their obtaining custody of your children.

I pay tribute to the organisations, such as the charity Rights of Women and the Legal Aid Practitioners Group, that ensured that last year the Government finally published reforms to the evidence requirements for accessing the DV gateway for civil legal aid. Those changes were long overdue. However, we have yet to see a significant impact. Just 56 applications for legal aid in other family proceedings such as custody cases were made to the DV gateway in 2017-18; the figure was down from 83 in 2013-14. Can the Minister tell us what steps the Government are taking to ensure that victims of domestic abuse are aware of the changes to the evidence requirements for accessing legal aid in the family courts?

Legal aid is available to victims of domestic violence on paper, but in reality the wholesale removal of family law cases from its scope means that people are now hard-pressed to find someone to represent them. Recent figures published by the Ministry of Justice show that the number of family law cases started with the assistance of legal aid has fallen by 84% since LASPO’s introduction. The figures also show that the number of legal aid providers giving support in family law cases has dropped by one third, with legal aid deserts opening up in parts of the country. The number of providers has fallen by 22% in London, but by 45% in the east of England and Wales. The devastating truth is that access to justice is simply not available for many victims up and down the country, because of this Government’s changes to legal aid.

For victims who do make it to the family courts, the ordeal does not stop there. Survivors frequently report being re-traumatised in the family court room, with the perpetrator allowed to continue their abuse by manipulating the court process. Women are still routinely cross-examined in front of or even by the perpetrator in what can be a deeply traumatising process; and outside the courtroom, survivors can come face to face with the perpetrator.

Opposition Members welcome the Government’s announcement of a new domestic abuse law, including the introduction of special protection measures for victims of domestic abuse. However, those protections must be available to victims in the family courts and not just the criminal courts.

A survey by Women’s Aid of more than 100 survivors who had been through the family courts showed that more than half had no access to special measures, and more than one third were verbally or physically abused by their former partner, in the family courts. Measures such as video links, screens and separate entrances, and exit times can be life saving; they prevent victims from being followed home by their abuser or confronted outside the courtroom. I understand that the Government have just finished consulting on the domestic abuse Bill. However, they have no reason to leave us in any doubt about where they stand on this issue. Can the Minister confirm today that family courts will be included in proposals to introduce special court measures for victims of domestic abuse, and will the Government set a deadline for when that right will become fully accessible to every victim of domestic abuse?

Of course, to support victims of domestic violence to have real access to justice, we have to do more than ensure that the courts are acting as a safe space. For survivors to come forward and access the justice process, they need security outside the court as well. We are extremely concerned about the proposals to remove refuges from the welfare system. The Government’s plans to remove housing benefit as a means to pay for refuge accommodation would remove half of refuge funding overnight. Currently, more than 10% of these women are forced to sleep rough because a place in a refuge is not available. We are calling on the Government to take those dangerous proposals off the table.

Our justice system is designed to protect the perpetrator, not the victim. Important checks and balances ensure that a person is presumed innocent until proven guilty, but they also routinely leave victims feeling like an afterthought in the process or, worse, like the person on trial. The issues raised today demonstrate the urgent need for reforms. Will the Minister commit to a wholesale review of the culture, practice and outcomes of the family courts in child contact cases where there are allegations of domestic abuse?

More generally, Labour has been pushing since 2015 for a stand-alone victims law that would enshrine the rights of victims in primary legislation. We need a victims law, rather than piecemeal reform, if we are to transform the experience of victims in the criminal justice process. More than three years ago, the Government agreed, and pledged, to introduce a victims law, but victims are still waiting. Now, instead of legislation, Ministers speak of a victims strategy, so can this Minister confirm when the victims strategy will be published? Do the Government still plan to introduce a stand-alone victims law as they promised?

Today, we have heard passionate speeches from hon. Members on both sides of the House on the need to ensure that victims of domestic violence receive the protection, support and representation that they need in the family courts. Let me now use my position to pay my respects to Claire, about whom my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) spoke so heartbreakingly and movingly. I hope that the Minister has listened to Claire’s story and the other stories raised today and realises that significant reform is urgently needed.

Joan Ryan (in the Chair): Could I ask the Minister to finish her speech a couple of minutes before our time is up to allow the mover of the motion to wind up the debate?

3.46 pm

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): It is a pleasure to serve under your chairmanship, Ms Ryan. I thank the hon. Member for Birmingham, Yardley (Jess Phillips) for securing the debate. Like other hon. Members, I pay tribute to the huge amount that she has done to protect victims of domestic abuse—not only the work that she has done as an MP, which includes chairing the all-party parliamentary
group on domestic violence, but what she did before she was elected, in working for a charity supporting victims of domestic and sexual abuse.

We all know, and have heard today, that domestic abuse has devastating effects. I heard about some of those when I attended a meeting of the APPG at which a victim gave evidence anonymously about her experience. Since I have been a Justice Minister, MPs have come to me to share their constituents’ experiences of domestic abuse. I am pleased to have had the opportunity both to discuss those concerns with experts such as Katie Ghose from Women’s Aid and Jo Todd from Respect and to hear about domestic abuse victims’ experiences of court from professionals in the courts, such as Her Honour Judge Rachel Karp, and academics such as Rosemary Hunter.

The Government are committed to tackling domestic abuse—dealing with abusive behaviour and improving support for victims. We want to do more to protect and empower victims, communities and professionals to confront and challenge domestic abuse wherever they encounter it. As my hon. Friend the Member for Henley (John Howell) and other hon. Members mentioned, the Government have launched an extensive public consultation on domestic abuse to inform our approach to future reform. We have received more than 3,000 responses, which we are analysing now, ahead of publishing a Government response in the autumn. That will include a domestic abuse Bill, which we hope will further protect victims of domestic abuse.

As the hon. Member for Birmingham, Yardley said, we need to ensure that the court experience supports victims of domestic abuse and is not a forum in which to continue abuse. The Government have already taken a number of measures, to which some hon. Members have referred, to improve the court process. We have made practical changes following work with the senior judiciary. Last November saw the introduction of new rules requiring the court to consider whether those involved in family proceedings are vulnerable and, if so, whether they need assistance, such as a video link or protective screen, to participate or give evidence.

I was disappointed to hear that the experience of the hon. Member for Birmingham, Yardley is that those measures are not working well, because I recently met a family barrister who told me that her experience was that they were working. We do need to keep this under review. Her Majesty’s Courts and Tribunals Service is collecting data, so that we can see how it is operating. We will consider whether we can do more, as we examine consultation responses in due course.

We have also introduced fresh training for family court staff on how to support vulnerable court users—by ensuring that separate waiting rooms or secure entry into and exit from the building are available, for example. The training has now been rolled out across England and Wales. Courts are also preparing local protocols on vulnerable court users, in consultation with their designated family judges. The president of the family division and the Judicial College have also taken steps to improve domestic abuse training for family judges. Issues of domestic abuse continue to be addressed on an ongoing basis as part of the college’s regular training for family judges. I recently visited the courts in Liverpool and was interested to hear from a family judge that he had found the training very helpful.

A further positive development came last October, when the president made changes to the guidance for family judges dealing with applications for child arrangements orders when domestic abuse is alleged. As hon. Members have mentioned, that is practice direction 12J. The revisions included a number of important changes, such as making it clear that family courts should have full regard to the harm caused by domestic abuse and the harm that can be caused to children from witnessing such abuse. The revised practice direction also includes an expanded definition of domestic abuse.

These changes are a positive development. At a roundtable on domestic abuse that I held recently, I heard from family judges and practitioners how they were working. I was asked during the course of this debate whether we can review the practice direction. That is primarily a matter for the judiciary, but I am happy to discuss it with the incoming president of the family court, whom I am meeting tomorrow. I should add that the current President, Sir James Munby, will be retiring shortly. As the hon. Member for Birmingham, Yardley mentioned, he has been a strong advocate for improving support and protections for the vulnerable. I pay tribute to the significant action he has taken in this area.

Many hon. Members mentioned the provision of legal aid. As the hon. Member for Birmingham, Yardley mentioned, we have changed the law to make it easier for victims of domestic abuse to access legal aid and support by reforming the evidence requirements for legal aid in private family cases. The changes included introducing new forms of evidence and removing the time limit previously placed on evidence. We are already seeing a positive effect on the number of victims accessing legal aid. The latest statistics for January to March show that 21% more victims applied for legal aid than in the same quarter last year and there was a record high number of grants. We will continue to monitor those figures.

We have made changes to support victims of domestic abuse, but we need to do more. The hon. Members for Birmingham, Yardley and for Great Grimsby (Melanie Onn) were right to highlight the importance of bringing forward legislation in relation to the cross-examination of domestic abuse victims by their perpetrators. The hon. Member for Birmingham, Yardley has made a powerful case for this for some time and she made it again today. It is right that we get it on the statute book. She has already rightly identified that the Government want to see this legislation on the statute book. The Government remain committed to delivering this as soon as parliamentary time allows.

Jess Phillips: Will they introduce it before the recess?

Lucy Frazer: The hon. Lady knows that it takes some time to go through parliamentary procedure and it is not possible to do that on Monday or Tuesday next week.

I have also heard concerns about the issue of abusers making repeated applications to the family court, as a means of further abusing their former partners. I recently held a roundtable with judges, venues, solicitors and others from the legal profession, to discuss this. I also met the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) to discuss the private Member’s Bill she proposed.

We all know, and have heard today, that domestic abuse has devastating effects. I heard about some of those...
Lucy Frazer

on the matter. The family court does have wide powers to manage such situations, but I am looking again at whether there is more we can do across the system to tackle this issue. We will be examining this as part of the next phase of work on the consultation.

Many hon. Members mentioned important points. My hon. Friend the Member for Henley made interesting points about the recognition society and Government have of the nature of abuse, and that it is not just physical abuse and violence that form domestic abuse. He also discussed the need to see how the courts are operating. I have visited a number of courts already and spoken to a number of judges on a variety of issues. He raised the Istanbul convention, which, he rightly said, the Government have signed and remain committed to ratifying. Some of our measures in the UK, however, go further than the convention requires in some areas.

The hon. Member for Bath (Wera Hobhouse) raised the need for CAFCASS workers to be trained. I should point out that CAFCASS workers do receive comprehensive training. My hon. Friend the Member for Sutton and Cheam (Paul Scully) made a variety of sensible points. He rightly observed that, in a number of areas, the Government have already taken measures, some of which I have referred to. It is important to see how those operate and keep them under review. The hon. Member for Strangford (Jim Shannon) raised the impact of domestic abuse on victims.

I have left to the end the hon. Member for Penistone and Stocksbridge (Angela Smith). She asked a number of questions, one of which was about the scope of the review and whether we will consider options for reform of the family justice system in the consultation that has just closed. I can tell her that that will form part of the consultation exercise. I left her to the end because she mentioned the terrible story of Claire, for whom we all must feel sympathy. I hope that this Government, with the support of hon. Members across the House, continue to bring forward measures to protect women like her, to help support them and ensure that her story is not repeated.

In closing, I hope hon. Members will agree that we have taken positive steps to improve the family justice system and its response to domestic abuse. We need to build on that and deliver further improvements. The domestic abuse consultation and the programme of work that will flow from it provides one way of doing this. I look forward to working collaboratively with hon. Members to take this important work forward.

3.57 pm

Jess Phillips: Like the Minister and the Opposition spokesperson, I thank everybody who has spoken. My hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) never fails to move me when she talks about Claire. I have known Claire for two years now and have heard her story a million times. It still moves me to tears every single time I hear it, because it could have been avoided.

I thank the Minister for her comments. At the latest, the timetable for changing these things must come in the domestic abuse Bill. If they are not in it, we will ensure that they are put into it. I look forward to working on the domestic abuse Bill. I am sure that we will be able to make some progress.

On the issue of CAFCASS workers receiving appropriate training, I say to the Minister that it is not working. There needs to be a Government review of CAFCASS and the way its workers are interacting with victims, as well as of settings where families go for visits. There needs to be a real look into that. Most importantly, I thank all the women who write to me every day to tell me about how we should make this system better. We should hear their voices.

Question put and agreed to.

Resolved,

That this House has considered progress on protecting victims of domestic abuse in the family courts.
Litter Strategy

[GERAINT DAVIES in the Chair]

4 pm

Theresa Villiers (Chipping Barnet) (Con): I beg to move,

That this House has considered the Government’s 2017 litter strategy and roadside litter.

I am delighted to serve under your chairmanship, Mr Davies. I welcome the presence of the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey), who takes litter-related matters very seriously.

In his foreword to the 2017 litter strategy, my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) stated that roadside litter “harms our economic prospects and stifles communal wellbeing.” As well as damaging our quality of life, roadside litter and debris can put lives at risk if they blow into the road and damage the vision of passing drivers. Page 55 of the 2017 strategy acknowledged:

“The current situation is unacceptable. Our roads and highways are the gateways to our towns and cities, and yet verges, traffic islands, and roadside paths are often marred by unsightly litter. Local authorities will need to improve their own cleaning and work more effectively with neighbouring authorities and Highways England to keep such places consistently clean”.

Sir Greg Knight (East Yorkshire) (Con): Discarded litter is a scar on our countryside and more needs to be done to bring home to motorists how unacceptable the practice is. Does my right hon. Friend agree that deterrent sentencing is an answer, and that in the worst cases the court should have the power to endorse the licence of a littering motorist?

Theresa Villiers: I agree with my right hon. Friend. We need to ensure that people know that it is a criminal offence. The courts should be tough in imposing punishments on those who cause that scar on our countryside, as he describes it.

I applied for this debate after a similar conversation with my constituent Mr Nick Spall, who contacted me to complain about litter and debris piling up along the approach roads linking the M25 with the South Mimms turn-off. He had particular concerns about the connection with St Albans Road leading south towards High Barnet, which is just outside my constituency of Chipping Barnet. He pointed out:

“Visitors to the UK will be surprised and disappointed that this cannot be kept under control at such a visible and prominent location.”

I raised that complaint with Highways England, which told me that Hertsmere Borough Council was responsible for litter clearance on the roads concerned. Hertsmere Borough Council informed me that the general area was litter-picked on a weekly basis, but that several sections could not be safely accessed without traffic management measures, and that they could take place only if Hertfordshire County Council had road closures planned.

That illustrates the first key issue I wish to raise with the Minister. If we are to tackle the litter that we can see through our car or bus windows every day, we need to address the problem of divided responsibilities and introduce clearer lines of accountability. That point was made by Peter Silverman of the Clean Highways campaign, and I would like to take this opportunity to thank him for the briefing he provided for the debate and for his determined work to highlight these important matters.

Julian Knight (Solihull) (Con): My right hon. Friend is giving her customarily fantastic evocation of the issue. I congratulate her on securing this hugely important debate. In my constituency, Christine Dunster has set up the Olton library litter pickers and she was recently awarded a British Empire Medal for galvanising the community. As my right hon. Friend has just congratulated the gentleman in the Gallery, will she join me in congratulating other local campaigners on their work to involve the community in this issue?

Theresa Villiers: I will. We should take pride in the fact that so many members of our communities are prepared to put their own time, effort and hard work into tackling litter. In that regard, I highlight the staff at McDonald’s Friern Barnet, who regularly go out to litter pick. Those volunteer efforts are hugely to be welcomed, but we also need to ensure that we have an effective response from the Government and local councils.

Allocation of responsibility for clearing highway litter is governed by the Environmental Protection Act 1990. Local councils have that duty in relation to the majority of roads, including trunk roads in the strategic road network. Highways England is charged with maintenance and litter clearance on motorways and a small number of trunk roads. Similarly, Transport for London is responsible for maintenance and litter clearance on several strategic routes in the London region.

That means that there are many cases where the body responsible for maintaining the road and its verges is not responsible for litter clearance on those verges. We also end up in a situation where small district councils are supposed to clear litter from busy major roads but are not geared up for the extensive organisation that comes with health and safety requirements, such as coning off lanes or shutting roads altogether, as in the example near my constituency, which I referred to earlier.

Will the Government consider reforming the law to provide that the body responsible for maintaining a road and the roadside is also the one tasked with clearing litter from that roadside? In particular, that reform would mean that Highways England had an increased duty to clear the litter around all the roads for which it is responsible, and it would make it much easier to combine work such as trimming roadside vegetation with litter picking, so clearance could take place more regularly and efficiently.

If the Government feel that that would be too big a step, can they at least report on progress on improving the partnership working between Highways England and local authorities, as they advocated on page 57 of the 2017 litter strategy? That would be a crucial way to address some of my constituents’ concerns.

My second concern is more general. Section 89 of the 1990 Act imposes a statutory duty on Highways England and local authorities to clear litter and refuse from roads where they are the designated authority. The amount of litter blighting our roads must surely mean...
that that duty is not being taken seriously enough. That is implicitly acknowledged on page 60 of the strategy, where the Government promise to revise the code of practice that provides guidance on how to comply with the section 89 duty.

We need to strengthen the obligations placed on Highways England in relation to litter clearance. I have a copy of its litter strategy with me and, frankly, it is a bit thin—it runs to four pages plus a list of roads. The Government’s 2017 strategy refers to working with the Office of Road and Rail and to including a tougher litter-cleaning key performance indicator in the performance specification for Highways England. The Government promised to review the mechanism for holding authorities to account in relation to the performance of their obligations under the code of practice. They also undertook to remove responsibilities from local authorities that failed in their duty to keep the road network clear of litter. I appeal to the Minister to press ahead with reform to make Highways England take the issue more seriously, to toughen up the code of practice as it applies to all local authorities, and to ensure that the enforcement of the section 89 duty becomes much more effective.

My third point relates to the procedures required for litter picking on fast, busy roads. Those responsible for clearing litter have a duty to keep their employees safe, and that obligation must always be strictly adhered to. At present, extensive coning off of lanes, or even full road closures, are often deemed necessary for routine roadside litter clearing.

On page 56 of the 2017 strategy, the Government express their determination to tackle the practical barriers preventing clearance of road litter. They refer to a working group that they have established, which is dedicated to looking at these matters. I appeal to the Minister to ensure that the outcome of that work ensures that rules requiring the coning or closing of roads are used in a proportionate way and only when necessary, to ensure the safety of workers. What we do not want to do is place unnecessary constraints on litter clearance. The Government have been looking at the issue as it relates to workers involved in road maintenance and road works. I hope they will also undertake a similar process in relation to workers who are at one remove—in other words, who are on the edge of the road and not on the road itself.

A fourth concern on which I would like the Minister to reflect relates to heavy goods vehicles. Sadly, roadside litter is not just food wrappers and coffee cups thrown by irresponsible and antisocial drivers; a significant proportion of it will have blown off skip vans or lorries with open loads. I urge both the Environment Agency and Highways England to give higher priority to prosecuting that kind of waste crime. I am sure that they have been sent many dashboard camera video clips of such an offence. I have raised this issue with the Road Haulage Association and the Freight Transport Association. There is also a real concern about some HGV drivers leaving litter after overnight stops, as referred to in the litter strategy. I appreciate that it is very much a minority of HGV drivers who behave in that way, but such littering does happen.

Page 64 of the 2017 strategy refers to the particular challenges in getting an anti-litter message across to drivers from overseas. It would be useful if the Minister could update us on the Government’s progress in communicating that message. Of course, it is also important to note that there is a shortage of overnight provision for HGV drivers, and finding more space for those kinds of facilities—including, of course, litter bins and waste disposal facilities—is an important part of a strategy to tackle roadside litter.

Thankfully, the problems that I have highlighted regarding the national road network occur largely outside my constituency. However, like almost everywhere in the country, we suffer from the blight of fly-tipping, with recent bad examples occurring in Mays Lane in the Underhill area and Regal Drive in South Friern. Fly-tipping is a serious crime that enrages those constituents affected by it. I believe that the police and prosecution authorities, including the Environment Agency, should pursue offenders more vigorously and seek the maximum penalties available for that crime.

I welcome the work done locally in my area by Barnet Council to combat fly-tipping. Many neighbouring boroughs have introduced fortnightly bin collections, which inevitably worsens problems with fly-tipping. That is one of the reasons why Barnet Council has kept weekly bin collections for general waste and general recycling. I also commend its #KeepBarnetClean campaign, which started in 2016 and has involved an extensive campaign of public engagement, including highlighting the £80 fine for littering and the £400 fine for fly-tipping.

In conclusion, not too long ago the Government published a 25-year plan for the environment. A plastic bag charging scheme is already in place, a bottle return scheme is out for consultation, and there is a long list of other ideas under discussion on reducing the need for avoidable single-use plastics. There is now greater public concern about plastic waste than I can ever remember in my lifetime. I urge the Government to harness that momentum in support of long-standing efforts to prevent litter from disfiguring our roads, countryside and public spaces.

At this time of year, students throughout the country are embarking on their National Citizen Service programmes. I hope that one of the issues they are asked to consider is litter and how to prevent it. However, I am afraid that it is not just young people who drop litter. To illustrate that, I produce this Crunchie wrapper, which I picked up this week after it had been dropped in the back row of the main Chamber of the House of Commons.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): Shocking.

Theresa Villiers: It is truly depressing that littering occurs even here, in this mother of Parliaments. All ages and all types of people can be guilty of this kind of antisocial activity. We all have a part to play in addressing it, and I very much look forward to hearing the Minister’s response to the matters I have raised.

4.14 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate my right hon. Friend the
Member for Chipping Barnet (Theresa Villiers) on securing this debate on a subject that, as she rightly points out, matters to so many people.

Litter is unpleasant and absolutely unnecessary. Litter louts exhibit behaviour that is selfish, lazy and downright irresponsible. Our litter strategy detailed how we will achieve a cleaner country, with a substantial reduction in litter. We intend to do that by applying best practice in education and enforcement, and by supporting local authorities with better “binfrastucture”, in order to change people’s behaviour and make littering entirely socially unacceptable.

Dealing with litter is costly. In 2016-17, local authorities spent £682 million, or £29 per household, to keep our streets clean. In addition, Highways England spends at least £6 million a year on collecting litter from the strategic road network. Those funds could be better used to deliver the range of important services provided by our councils.

Our litter strategy, which was published last year, was the first ever for England, and it was produced in partnership with the Department for Transport and the Ministry of Housing, Communities and Local Government. We have delivered on a number of key commitments that we detailed, as set out in the annual report, which I assure the House will be published shortly.

Councils now have new enforcement powers they can use, making it easier for action to be taken against people who litter, principally through the use of fixed penalty notices. The big change has been to make the owner, or more precisely the keeper, of a vehicle liable for littering offences committed from it, although I recognise that this power has already been in place in London councils for some time. However, I understand that only one London council uses it, and that is Wandsworth and not, sadly, Barnet.

Since April this year, the maximum fixed penalty that local authorities can issue for dropping litter has nearly doubled, from £80 to £150. The minimum fixed penalty will also increase from £50 to £65 next year. The same changes also apply to penalties for graffiti, fly-posting and the unlicensed distribution of free printed material in a designated area, although I am assured that that does not apply to election leaflets.

I am conscious that people are concerned that councils may just use these penalties as a money-grabbing initiative. That is why we have consulted on improved guidance for the use of these powers. Responses are being carefully considered, and the guidance will be published later this year. However, I should emphasise that penalties collected are to be used to improve tackling litter, including cleaning up litter and educating people.

I stress that it really is now up to councils to take advantage of the powers that they asked for. I think this initiative can become self-financing, and there have been some great examples of how a crackdown has really had benefits. For example, in Southend-on-Sea—a lovely place to visit, where the local people are very proud of their sea front—council officers have been proactive in issuing penalties, and that has had a positive impact on cleaning up the sea front.

The second part of our approach is education and changing behaviour. I am pleased to announce today that we will work in partnership with Keep Britain Tidy to further develop and launch our new national anti-littering campaign. This ambitious campaign will seek funding from private sector companies, particularly those whose brands’ packaging is often littered. However, I recognise what my right hon. Friend said when she commended staff from her local McDonald’s for being the first to get out and clear up.

Keep Britain Tidy already has an army of 350,000 litter heroes—people who have had enough of other people’s litter and who are willing to do something about it—to help us spread the word. I also think of people such as Nadia Sparkes in Norwich, who has embraced the name of “Trash Girl”, which was given to her by bullies. I understand that she is now being turned into a cartoon superheroine for her efforts to clean up the streets of Norwich.

The third element of our strategic approach is to improve cleaning and “binfrastucture”. I recognise the context of ever-increasing pressure on local authority budgets, so it is important that we share best practice and ensure that local authority money is spent in ways that are proven to be effective. To promote innovation and proper testing of new ideas for tackling litter, we have launched a litter innovation fund to pilot and evaluate innovative new approaches that have the potential to be rolled out more widely. This fund, of just under £500,000, is jointly funded by my Department and MHCLG, and 10% of the money has been exclusively allocated to tackling litter in the marine environment.

After more than 200 expressions of interest were received in the first round, grants totalling £125,000 were offered to 14 projects to trial approaches across England. Those projects included reducing litter from riverside pubs along the Thames, work focused on the night-time economy and work using nudge techniques to reduce dog-fouling on playing fields. I must admit we were slightly disappointed with a lot of the initial applications, and we hope that, with some feedback, more will be successful in the second round, which we expect to open next month.

A lot of what my right hon. Friend talked about today was to do with roadside litter, which I recognise is particularly problematic. Our roads and highways are the gateways to our towns and cities, and litter by the roadside gives a bad impression of our country. Furthermore, as she pointed out, clearing that litter from the side of busy roads is a dangerous and expensive job for councils and their employees. This Government are committed to tackling roadside litter, as reflected in our manifesto, and we have taken steps in the last year to do exactly that. I have already mentioned the new powers that we have given to councils to improve enforcement against those who throw litter from their vehicles, but there is a great deal of other activity under way to address that particular problem.

Mr Jonathan Lord (Woking) (Con): Does the Minister have a strong view as to the division of responsibility between Highways England and local councils? Local councils are ultimately responsible to their electorate. Ideally, I think Highways England should be responsible, but I wonder who is marking the organisations’ homework and what mechanisms we have for checking they are doing their job properly.

Dr Coffey: My hon. Friend raises a good point. I was going to bring the matter up later, but I will do so now. Highways England is responsible for cleaning alongside
motorways and some of our major trunk roads, and it often contracts that to the local authority. However, to respond to one of the questions my right hon. Friend the Member for Chipping Barnet asked, we are not considering changing the law or the responsibilities at this time.

The Minister for roads—my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman)—and I want to see Highways England being more effective. We commissioned an independent survey of every council in England that has responsibility for cleansing one or more of the roads I mentioned. Unfortunately, that was delayed by poor weather as a result of the “beast from the east”. The data is still being analysed, but it will give us a much more accurate picture of the scale of litter on that part of the strategic road network and enable us to identify good practice and work with those local authorities that appear to be underperforming. Roadside litter is a problem that can be addressed effectively only by working closely with my colleagues across Government. I will bring some of the points that my right hon. Friend has raised to the attention of my hon. Friend the Member for Hereford and South Herefordshire.

Sir Greg Knight: I congratulate the Government on bringing in the power to seize a vehicle that is being used for fly-tipping. Can we see a greater use of that power to take vehicles off people who are desecrating our countryside?

Dr Coffey: My right hon. Friend is absolutely right. I do not know off the top of my head how many vehicles have been seized, but I know that the Environment Agency and local authorities have been keen to make use of the power. If he wanted to table a written question, I would be more than happy to get that data to him as quickly as possible.

Sir Greg Knight: I will do so.

Dr Coffey: That is good to know. Officials will be working on that as we speak, as they have heard this debate.

Since publishing the strategy last year, I have worked with the Department for Transport and Highways England to build on the work they already had under way to develop both new methods to reduce the amount of litter on the road network and ways to improve litter removal practices.

Thinking about the particular issues faced by hauliers, who spend many hours living in their cabs, it is important to provide suitable facilities for them to dispose of their litter and other waste. In my constituency I have the port of Felixstowe and the A14, which is one of the busiest transit parts of the strategic road network, so I am very conscious of the things that can often appear.

I raised the issue of litter at a meeting with the Road Haulage Association and the Freight Transport Association earlier this year, and I stand by the commitment made in the strategy to work with local councils, ports and the haulage industry to improve facilities for hauliers and others to dispose of their litter and waste. However, that does not excuse littering behaviour in the meantime by people who work in that industry.

We wrote to the Freight Transport Association and the Road Haulage Association following the introduction of new local authority powers to tackle littering from vehicles in April this year. So far as I am concerned, if litter is thrown out of an HGV, we should pursue those people, but it is for local councils to take that action.

There is obviously still more to do, but I assure my right hon. Friend. Friend the Member for Chipping Barnet that, while she may feel progress is slow, Highways England has removed more than 12,000 bags of litter in the past year from the 25 identified hotspots. It found that, for February to April 2017, customer reports of littering had reduced by 70%, as compared with the same period in 2016.

Highways England has also been working to improve collaboration between its contractors and local authorities, including by enabling local authority litter pickers to access roads for which they are responsible while Highways England has closed them for routine maintenance, which makes it easier to clean high-speed roads. I am sure Members will agree that is a sensible move. Highways England has also introduced a new way of undertaking maintenance on the network, bringing the responsibility for asset and operational decision-making in-house and directly managing assets and network operations. That means Highways England can take a more flexible approach to when litter picking is planned, scheduled and co-ordinated, enabling a faster response to litter problems on the network.

I hear my right hon. Friend’s point about smaller district councils, health and safety requirements and people not necessarily having all the expertise. I also hear her point about the action we will take on those councils that are not performing as well as they can. In the short term, it is fair to say that we need to assess the data, particularly on the strategic road network, to give us a better understanding of what is happening in different councils. I know there has been a change of Minister at the Ministry for Housing, Communities and Local Government since the report, and I am conscious that we now need to work together to take forward the action my right hon. Friend suggests.

In conclusion, I want to assure my right hon. Friend and other Members that the Government are absolutely committed to reducing and preventing litter and littering behaviour. The actions I have outlined today are just the first steps in delivering on our commitments in the litter strategy. I know it is something we all want to see succeed as quickly as possible.

Question put and agreed to.
NHS Whistleblowers

4.27 pm

Geraint Davies (in the Chair): I call Dr Philippa Whitford to move the motion. I know it is a bit early, but we are all here.

Dr Philippa Whitford (Central Ayrshire) (SNP): I beg to move,

That this House has considered NHS whistleblowers and the Public Interest Disclosure Act 1998.

It is an honour to serve under your chairmanship, Mr Davies. Gosport, Morecambe Bay, Mid Staffordshire and Bristol Royal Infirmary are NHS scandals that all have quite a few things in common: they went on for a long time and often whistleblowers who might have brought the issue to an end and saved lives were punished or ignored. They were certainly intimidated. The anaesthetist who raised the issue of baby cardiac surgery at Bristol Royal Infirmary ended up in Australia.

The term “whistleblower” suggests a pressure cooker—a build-up of pressure to the point where someone cannot resist it any longer and feels the need to come forward. We are trying to decompensate some of that impression by having audit of patient safety through such systems as Datix, where staff get used to reporting every little aspect that does not go smoothly, which therefore creates the habit of coming forward. We still have issues. They often relate to the whole system, the trust or perhaps the behaviour of certain medical or clinical staff. There is no easy way to come forward, and the people seeing that behaviour take a long time to be listened to or to step up.

In the investigation into Mid Staffordshire, which was the worst NHS scandal, Sir Robert Francis’s report spoke about developing a “freedom to speak up” culture, to make doing so normal. Sir Robert suggested only minor changes to the Public Interest Disclosure Act 1998 but, as I will come on to later, I think it needs major change because it underwrites everything else.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate the hon. Lady on securing this timely debate. I had two cases in Coventry, going back 10 or 15 years, in which consultants were suspended for whistleblowing. On the one hand, the Government encourage whistleblowers, but on the other the national health service seems to have a different definition of whistleblowers. One of those cases ended up in court. I do not know the exact figure, but it cost between £3 million and £4 million, and went on for at least 10 years. Meanwhile, back at the ranch, the individual was losing their skills. What does she think about that?

Dr Whitford: Obviously, I am unaware of the individual case and the rights and wrongs of it. However, a review of the cost of whistleblowing as it stands shows that having an effective system and effective law would save us money overall.

Sir Robert Francis envisaged “freedom to speak up” guardians in each trust, to whom whistleblowers could go informally to seek advice and support. Such guardians are in all trusts across England. They include a wide range of people, and the appointment system is not altogether clear or transparent. We will have to look at what kinds of staff work best, whether appointments have been appropriate, and whether whistleblower guardians can recognise, if they are clinicians—many of them are—that there might be a conflict of interest, because the issue might be in their department. The national guardian has been in place since 2016, but her position is non-statutory and sits inside the Care Quality Commission. Her role is described on the website as “leading cultural change” rather than deciding individual cases.

Through all the publicity, there has been quite a change in atmosphere and tone. The whole issue has had a significant airing. In Scotland, we have an alert and advice line run by Public Concern at Work. It is interesting to see the changes from the second half of 2016 to the first half of 2017. The number of concerns that the hospital, or the health board as it is in Scotland, admitted immediately were valid—instead of their having to be proved, or their being put off—went from 0% to 14%. The number of those that were ignored or denied dropped by 30%, and those reported to a manager or a senior manager went up by 30%. That suggests quite a difference in practice. The numbers are quite small, but they suggest a pattern. The data showed that, naturally, the most common group to report is nurses—they are the biggest employed group within the NHS—and the most common reason was still patient safety.

The problem is that is that all still legally underpinned by the Public Interest Disclosure Act, which was passed in 1998. It was a private Member’s Bill very similar to one that had been introduced a few months before. It therefore did not have a Second Reading, and it had only one day in Committee. At the time, it definitely was ahead of what was going on elsewhere, and was a recognition of the importance of whistleblowers, but that was 20 years ago. It really is time for change.

Mike Hill (Hartlepool) (Lab): Does the hon. Lady agree that workers are still put off by responses to whistleblowing allegations and, under the legislation, the threat of disciplinary action if the complaint is perceived to be malicious?

Dr Whitford: I utterly agree. It is important to be clear that a disclosure in the NHS, which is what we are focusing on, regarding patient safety as opposed to employment issues, which are quite separate and dealt with differently, is in the public interest. The problem is that in cases where whistleblowers have been punished and have suffered detriment, what starts as reporting becomes a bullying and harassment issue that ends up in a normal employment tribunal setting, and the original concern is not dealt with.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this matter to Westminster Hall for consideration. Some 7,000 staff raised concerns about bullying or patient safety in 2017-18. Over the same period, some 356 whistleblowers said that they had experienced repercussions, ranging from subtle persecution, such as career opportunities being closed off, to being fired unjustly. That is truly shocking. Does she agree that the Minister may have to look at a full investigation into just how far-ranging these matters are?

Dr Whitford: I thank the hon. Gentleman for his intervention. I hope that this is just the first little step towards putting the matter on the agenda. The tragedies...
Dr Whitford: I thank the hon. Gentleman, who has set up an all-party group on whistleblowing and on the Public Interest Disclosure Act 1998. I welcome that, but one of my concerns is the issue of bounties.

It is important that we have a new PIDA law and an independent, statutory body that is equal to other bodies and can take on the NHS, NHS Improvement and the CQC. It must not be a department in one of those regulators; it must be separate from the NHS to ensure real independence, and it must investigate and act on concerns. If a local investigation has failed or is failing, there should be a mechanism to report that to an independent body. If we get to the point where there is simply a slanging match within a trust, there will never be a satisfactory resolution, so arbitration needs to come in and look at the cold facts and the original facts of the disclosure. Often, what is looked at is the process, but not whether the whistleblower was actually right to raise an issue in the first place.

It is critical that whistleblowers are protected from detriment from the moment of speaking up. They should be protected during the investigation, and they must not be picked on either subtly, as the hon. Member for Strangford (Jim Shannon) said, or blatantly—they must not lose their jobs. It is important that legal penalties for reprisals against whistleblowers can actually be enforced.

There should be a system of redress for whistleblowers that does not involve litigation. Litigation is expensive for the NHS and the whistleblower, and is utterly confrontational. That means that, at the end of the process, even when a whistleblower has been proven to be right and genuine, there has often been such a breakdown in relationships that it is not possible for them to go back to their previous role.

Mr Jim Cunningham: I thank the hon. Lady for giving way once again. The case I outlined actually ended up in the courts, and the hospital was told to take the individual back. Well, it never took him back. There was a long, drawn-out process over a number of years, and it was eventually settled through litigation. That individual—Dr Mattu—was a well-known consultant.

Some of the older Members will remember the case, going back 10 or 15 years. We had debates and got the support of Mr Speaker. The hospital tried to use letters I sent to it, in which I raised issues that had been raised with me, in the courts, and the judge ruled it out of order. The hon. Lady is right that we need an independent body, but where it finds that the hospital is guilty, as it were, and that the whistleblower was doing their job, it should have the power to order reinstatement—that is the nub of the matter—to ensure they are not victimised.

Dr Whitford: I agree that there should be protection to ensure that whistleblowers are not victimised, but the problem is that if the relationships have been allowed to break down because the system is so confrontational, often even the whistleblower does not consider it possible to go back. That is a tragedy, because it often means losing someone talented, particularly at a time when we are so short of staff in all four NHS systems in the UK.

The body obviously needs to be statutory so it has enforcement powers, but it should also be responsible for developing standards and training to show hospital trusts, health boards and hospitals, regardless of the system, what good looks like. Setting up, speaking up...
for and reporting on a body structure for the NHS will be for all four nations, because health is devolved, but PIDA still sits above that. It needs to be the underpinning statutory law that gives the body force.

In Scotland, we are still working on our system. Obviously, the Francis report looked at the system in England. We have whistleblower champions in our health boards, but we are working on setting up the independent national whistleblowers office. The difference between that and the national guardian in England is that it will be statutory and independent of NHS Scotland. It will sit in the office of the Scottish public services ombudsman, so it is utterly outside the NHS and clearly sends a message of independence. It will be able to adjudicate in individual cases. Normally, that will be when all local processes have been exhausted, but provision is being considered to allow an earlier referral when the local system has simply broken down and the concern about patients has been lost in the conflict-driven system.

Standards are being developed for all health boards so there is a consistent approach. The standards that sit above everything else are that whistleblowers will be listened to, that their concerns will be acted on and that they will be supported. The former Secretary of State, who is now away to sunnier climes or travelling the world, used to keep saying in the Chamber that whistleblowers are central to patient safety. I have to say that I slightly disagree.

When someone is forced to blow the whistle, it is because the patient safety systems have failed. In Scotland, we have a national patient safety programme, which is the first in the world that is right across the system. People cannot pick and choose whether they do the huddle at the start of an operating list or whether they do the World Health Organisation checks before operating on somebody. It looks at the frontline to try to reduce errors, but we know that there will still be situations that are not ideal, so someone will need to come forward. That is the thing: whistleblowers are a backstop. The patient safety system, the Datix system or the auditing may need to be improved, but whistleblowers provide a backstop to prevent us from going over the cliff, to prevent more people from dying and to allow timely action.

The problem is that, although doctors have a duty of candour laid on us by the General Medical Council, we also see the landscape littered with people’s careers and jobs, as the hon. Member for Strangford said earlier. For an individual, that is really difficult. They think, “If I speak up and step forward, it may be the end of my career. I may be out of a job. I may be out of this hospital.” For patients’ sake, we need a change, we need to get it right, and we need a new public interest disclosure law. We should start work on that now.

4.47 pm

Stephen Kerr (Stirling) (Con): It is a privilege to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Central Ayrshire (Dr Whitford) on securing this debate and on her compelling and powerful speech. I find myself agreeing wholeheartedly with what she had to say. It is a noteworthy event when Scottish Conservatives and Scottish National party Members agree unanimously, but it has happened twice today—it happened in the main Chamber, too.

I welcome the hon. Lady’s description of the work being done in NHS Scotland. She described the patient safety system, which has been in place for some time. Work on it is subject to continuous improvement, which is the correct approach. The different parts of the United Kingdom can share things with and learn from each other, and this is a good case in point.

As the hon. Lady has said, I was recently elected co-chair of the all-party parliamentary group on whistleblowing—I declare that up front. Time and again, inquiries into healthcare scandals, such as that at Gosport War Memorial Hospital, expose cases of people who spoke out to warn those who should have taken action but who were suppressed because healthcare leaders know that PIDA has no effective mechanism to address cover-ups and retaliation. The NHS continues to forensically investigate and penalise whistleblowers while concerns go unheeded. PIDA has not changed that. It leaves patients at risk because it does not require the investigation of the whistleblower’s concerns. It is, in short, no deterrent. More than 19% of calls to Public Concern at Work and 30% to WhistleblowersUK are from the healthcare sector. Very few complaints proceed to an employment tribunal. Only 3% of claimants who make it to an employment tribunal win a PIDA claim, as has been mentioned. That is not good enough, and it is not a fair reflection of reality. Furthermore, the cost to the whistleblower can be far reaching and include complete ruination, while the institution can remain unaccountable—“It’s only taxpayers’ money”—but for a few forgettable headlines.

Inquiries into healthcare scandals such as those mentioned by the hon. Lady show that we are still not there on measures for whistleblowing. People who spoke out to warn those who should take action were suppressed, as I have said, and that happens because of the lack of an effective mechanism under PIDA. Punitive investigations and penalties are still part of the reality of life for a whistleblower. The Act does not go far enough to protect whistleblowers against that.

For whistleblowers, the cost of bringing a PIDA claim often exceeds £100,000 and they often find themselves on trial, as has been said. They suffer from retaliation and financial ruin. In the health service, as in so many sectors, institutions use attrition to wear down whistleblowers and can bring to bear uncapped resources and lawyers who use strategies to exhaust their funds, wearing them down mentally as well as financially and into submission. Whistleblowers are left without any money or resources, with their professional reputation undermined and their health impaired.

When a whistleblower acts, it is from a sense of duty to the public and to their vocation. In the case of health, that is in pursuit of patient wellbeing. When institutions react, it is often with an attitude of legalistic defence rather than in the spirit of embracing the opportunity to improve, or to right a wrong. Take the case of Dr Raj Mattu who exposed the preventable death of patients. After a fight of more than 10 years—this case may have been the one referred to by the hon. Member for Coventry South (Mr Cunningham), but I did not catch the name he used—Dr Mattu’s case was upheld by a judge. It had cost taxpayers anywhere between £6 million and £22 million, according to various estimates. Furthermore, Dr Mattu had been a leading cardiologist but now, at the age of 59, he is having to retrain. That is a waste of talent, and he was someone who did the right thing and has been proven to have

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done the right thing. A vast amount of money was spent to defend a legal position and to fight against a whistleblower, instead of being used to right the wrongs that Dr Mattu identified—all because a route of legal challenge was followed.

The main upshot of such cases is to channel NHS funds to firms of employment lawyers. That cannot be right at any time, because resources are always scarce. The case for legal reform is evident. The APPG will gather evidence to support changes to the law, which is what is required. Our objective is to bring together Members on both sides of the House, including those with different views on the finer details, to continually highlight the issue of whistleblowing and what happens to those who have the integrity and courage to act. The objective is to build consensus on certain issues and, we hope, to draw sufficient attention from Members across the House to achieve that change in the law.

We need to look closely at the idea of an independent investigatory authority, as has been discussed—I completely support what the hon. Member for Central Ayrshire said in that regard. We must also look at having independent and transparent investigations, and at the provision of arbitration, which has also been mentioned. We need to keep the law under review and up to date—it is 20 years since this law was looked at in any detail, and that is a long time—because the landscape changes, loopholes become apparent and new legal strategies can be deployed to shut down whistleblowers. Most of all, we need to look at the issue of protection for whistleblowers. Our job in this place is to formulate law, and we should do so to give genuine whistleblowers the protections they need. They may need financial help, and their professional reputations will almost certainly need protection. Most importantly of all, however, they need to know that we as legislators have their back through not only our words but our actions.

I hope that this important and valuable debate will continue. I also hope that the Minister will suggest that the Government have taken heed of the need for improvements to be made to the way in which whistleblowers are treated, because we still have a long way to go.

4.55 pm

Mike Hill (Hartlepool) (Lab): Thank you, Mr Davies, for allowing me to speak under your chairmanship.

I absolutely agree with the aspiration of the hon. Member for Central Ayrshire (Dr Whitford) to put in place a separate level of protection. My experience of whistleblowing comes from my experience of many years as a full-time trade union official for Unison. I remember the original PIDA being enacted, and that immediately afterwards employers were scurrying about to design internal policies to make it hard for whistleblowers even to come forward, let alone to proceed with a complaint in comfort and with protection. Many of those policies emphasised that, if the complaint were malicious, it could end with disciplinary proceedings. Certainly the policies were not favourable to the spirit of the legislation.

I agree with everything that has been said, but I must underpin my opinion that employment law must sit alongside the matter in question—there must be protections for workers. Yes, we have had the Francis review, but let us not forget the recent Gosport War Memorial Hospital inquiry, which shows that PIDA is clearly not working as a self-policing device within big employers such as the NHS.

I remember the Winterbourne View scandal. The investigation originated with a different kind of whistleblowing, through “Panorama”, but it came out of staff concerns. The scandal not only affected how mental health patients were treated in their communities from thereon in—it exposed the difficulties of working in such an environment—but had a knock-on effect for NHS employees. From my time with the Tees, Esk and Wear Valleys mental health trust in Hartlepool, I remember the movement of workers, with patients, into localities. That was disruptive to their jobs and lives; sometimes it led to job losses, so there are consequences.

There are also difficulties with whistleblowing. Often, whistleblowers will blow the whistle at inappropriate times. For example, they might be subject to internal inquiry or a disciplinary, and if the whistleblowing comes at that point it can be seen as disruptive, even when it is not deliberately so. However, that should not deter any important review of the basis of that whistleblowing.

I agree with the hon. Member for Central Ayrshire that local proceedings should be dealt with separately, with whistleblowing dealt with centrally from an independent perspective. We are not just talking about the NHS; there has also been whistleblowing in the civil service, for example.

I hate to see victims. As a trade union activist, I have seen too many victims. Equally, I have seen too many patients let down in mental and core health. Whistleblowers can be young or old. Young people are often concerned about peer pressure. They learn about whistleblowing on the job, and they might see obvious things that more experienced people do not. People at the older end of the shift also whistleblow, for whatever reason, about important issues that are stark-staringly obvious to them. Such things must be taken seriously. We cannot go on and have more and more patient deaths on our hands because we do not have a proper structure.

I apologise to the hon. Member for Stirling (Stephen Kerr). I was interested in the APPG, but I was unable to get there. I have always been keen on the issue. We cannot have a glass-half-full or glass-half-empty situation. We have to have protections for workers, whistleblowers and patients. We cannot live our lives through television investigations, or organisations such as the Nursing and Midwifery Council saying they have fit-for-purpose policies to deal internally with such issues. Whistleblowing is a global matter of protection for all. I appreciate the opportunity to speak in this important debate.

4.59 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I thank my hon. Friend the Member for Central Ayrshire (Dr Whitford) for bringing forward this important debate. I think we all agree that when malpractice and failure in our NHS threaten the public interest, and when concerned staff do not have the confidence to speak up and share their concerns, our public services are threatened across the board. Of course, that does not apply just to the NHS—we know it has happened in other sectors.
My hon. Friend, who focused on the NHS, pointed to recent examples that underline the need for staff who raise concerns to be protected. Indeed, almost all the official reports and the inquiries that have followed have shown that co-workers had seen the dangers but had been too afraid to raise the alarm, or had raised it with the wrong person or in the wrong way. We need only cast our minds back to the Clapham rail disaster, the Zeebrugge ferry disaster and the empire of Robert Maxwell—in all those cases and others, people already had concerns, but they were either unable or unwilling to come forward, for whatever reason.

Paul Girvan (South Antrim) (DUP): Numerous NHS staff have indicated to me their unwillingness to come forward because they believe there is a culture of bullying in the NHS. If they make a complaint, they are targeted. Even though complainants want to remain totally anonymous, that does not seem to happen. I know one doctor, in particular, who raised an issue and who feels he has been sidelined from promotion and everything else because of the stance he took against his peers.

Patricia Gibson: Sadly, we have heard that point several times during the debate. We hear it far too often. The culture must change.

We have focused on the NHS, which we all understand is an important public service. If the public cannot trust and have faith in the NHS, we are in a sorry state indeed. I am sure my hon. Friend the Member for Central Ayrshire pointed out that the reason we need to ensure there are robust mechanisms in place to protect whistleblowers is that, ultimately, whistleblowing is about saving lives.

We will never know whether safer whistleblowing, with protections for those who raise concerns, would have halted the activities of Ian Paterson in the NHS and the private sector, given that concerns about his surgical procedures and his desire to carry out harmful and unnecessary mastectomies had apparently been circulating since 2003. Professor Ian Kennedy, who reviewed Paterson’s practice, put it like this:

“Whistleblowers do not fare well in the NHS. This is one of the major indictments of management in the NHS: that it is inwards-looking, over-defensive, and prone to destroy, by a variety of means, those who suggest that the Emperor has no clothes... It is a blight on the NHS and is one of the principal areas where lessons must be learned.”

As the hon. Member for Stirling (Stephen Kerr) reminded us, where provisions to further protect whistleblowers are required, they should be put in place.

It has been reported that up to 10 doctors who worked with Paterson are under investigation by the GMC, apparently for failing to act on concerns. I make no comment about that, but one has to ask how it is possible that there is a culture in which fellow medics can even be suspected of failing to act on such concerns. How on earth could such an ethos ever develop and, apparently, thrive? That monster has lurked in the NHS, and that culture has to be changed. As the hon. Member for Hartlepool (Mike Hill) said, it is changing, but not as quickly as we would like.

As my hon. Friend the Member for Central Ayrshire outlined, the Scottish Government have implemented a number of measures to help protect whistleblowers and ensure they feel confident to speak out. Extra legal protections are now in place for student doctors and other postgraduate trainees who speak up if they are unfairly treated by their training body. However, as she pointed out, these are—and must be—quite separate from standard employment issues.

Importantly, the Scottish Government have committed to the function of the independent national whistleblowing officer for NHS Scotland being held by the Scottish public services ombudsman, creating a mechanism for independent external review where an individual has a concern about the handling of their whistleblowing case. That will be in place by the end of 2018. Importantly, the intention is to ensure that whistleblowing cases are concluded in a reasonable timescale. We heard from the hon. Member for Stirling about a case that dragged on for many years, which is far too long. That is simply not acceptable.

As my hon. Friend the Member for Central Ayrshire pointed out, we are building a consistent approach in Scotland. Staff will have access to an independent external body that can review their case and bring it to a clear, final and fair conclusion. I urge the Minister to study the improvements in Scotland carefully to ensure that the system in England is as robust as it can be and as supportive as possible to whistleblowers who raise genuine concerns. Of course, that is not to suggest that Scotland has nothing left to learn. We all must continue to be very vigilant, as the hon. Member for Stirling pointed out.

Gagging clauses have been used to suppress, or potentially suppress, information about patient care, which can lead to failings being repeated. I think we would all agree that that is completely unacceptable. My hon. Friend gave us a timely reminder—if we needed reminding—about the tragedy of Mid Staffordshire, which led to the deaths of as many as 1,200 patients. That must not be allowed to happen again.

Such malpractice and failings can thrive only in a culture where people are afraid to speak out and where fear and secrecy reign, as the hon. Member for Hartlepool reminded us. We have learned from Mid Staffordshire, but we must go on learning from it. I urge the Minister to be ever vigilant and watchful. Of course, genuine concerns have to be raised responsibly, but they must be raised. The NHS as an institution must encourage that, as the hon. Members for Stirling and for Hartlepool set out.

A whistleblower must be seen not as a problem but as someone who genuinely seeks to improve how things are done. Every Member who spoke alluded to that. That requires a culture change in the many corridors and management offices of our health system, which will take time. We are getting there, but we are not there yet. We must never be complacent. Openness and transparency are key to ongoing learning and improvement, and such a culture will give patients the confidence they need. I am keen to hear the Minister’s response to those concerns.

5.8 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is, as always, a pleasure to serve under your chairmanship, Mr Davies.

I congratulate the hon. Member for Central Ayrshire (Dr Whitford) on securing the debate and on her powerful and knowledgeable contribution. As always, she drew on her many years of experience in the national
health service. She listed a series of scandals in the NHS and raised themes common to them all. They lasted too long, and too often those who blew the whistle paid a high personal price for their actions. She raised the real risk of clinicians finding themselves with potential conflicts of interest, which requires further thought, and rightly highlighted the fact that the current legislation does not create an obligation to investigate the original complaint—it is primarily concerned with protection after the event.

In his analysis, the hon. Member for Stirling (Stephen Kerr) suggested that PIDA was intended to be a deterrent but that, given the way it has operated, it is not that at all because whistleblowers are still being punished. Both he and the hon. Lady pointed out the woeful success rates in employment tribunals, which should give us all pause for thought about whether the legislation is fit for purpose. The hon. Member for Stirling talked about how litigation can sometimes be a war of attrition and how at the bottom of all this is an individual—sometimes a highly skilled individual—whose talent has been wasted and lost simply because they have blown the whistle.

My hon. Friend the Member for Hartlepool (Mike Hill) spoke with great passion and no little knowledge of some of the experiences of those who have blown the whistle. He was right that some employers have not embraced the spirit of the legislation; in fact, they contrive policies to run contrary to what we are trying to achieve here. Having met many of the staff in the NHS, I know they care deeply about the work they do and they want to do the best by their patients. That is why it is so important that we provide an environment where they are able to raise their concerns about things they may be worried are going wrong, without fear of repercussion or unfavourable treatment. They must also be confident, once they have raised those concerns, that action will be taken.

However, despite some notable advances in the protections available in recent years, it remains the case that even the best run organisations, with the most comprehensive policies in place, can still feel very daunting for individuals who want or need to blow the whistle. I know from my many years working as an employment lawyer—although not one who lined his pockets in this particular area—that it is extremely difficult for an employee to raise those issues. As we have heard already, the consequences of doing that can be hugely damaging. They can face anything from being shunned by their colleagues to summary dismissal on spurious charges, and the impacts of the kinds of things they deal with can last much longer than the period of employment to which we are referring.

In that respect, it was deeply concerning to read in the Francis report about staff who were on the brink of suicide because of the treatment they had received after speaking out. One of the few criticisms on the record of the NHS is the fact that many promising careers have lain in tatters as a result of ineffective protections under this legislation, while other people have spent years languishing in the legal system, with the taxpayer racking up tens of thousands in legal fees in the process.

Of course, while protecting whistleblowers is vital across all professions, it should be pointed out that NHS staff also have a professional duty to raise concerns. The NHS England and NHS Improvement policy states: “If in doubt, please raise it. Don’t wait for proof... It doesn’t matter if you turn out to be mistaken as long as you are genuinely troubled.”

We cannot say that enough; I just wish it was easier to see that delivered in practice.

The Minister recently brought forward regulations to provide some additional protections for the present and future employment prospects of whistleblowers, which we welcomed. I raised a number of concerns during that debate and the Minister was good enough to write to me afterwards setting out some of the responses. However, one issue that I do not think we have got to the bottom of was protections for other workers who support whistleblowers. There is a worrying gap in the existing legislation. It is easy to envisage circumstances, particularly in the health service, where two or more employees might have an issue of concern that they jointly notice, but only one of them, in law, can make that protected disclosure.

When I raised that point to the Minister, her response made clear that the only remedy available to such associated parties would be to register a grievance under their employer’s grievance policy. That is a very worrying omission from existing legislation and I ask the Minister to consider whether she will look at that again, as well as at the many points that have been raised about the deficiencies of the existing legislation.

Another lacuna in the existing law was exposed much more prominently by Dr Chris Day. On 10 January 2014, Dr Day made a protected disclosure about critically low staffing ratios during a night shift on an intensive care unit at the Queen Elizabeth hospital in Woolwich. Unfortunately, the trust and Health Education England decided not to act on his concerns and terminated his contract, based on what Dr Day believes were false allegations, thereby stalling his progress to consultant.

Sadly—like many whistleblowers, as we have heard today—rather than having his rights protected by his employer, Dr Day was instead forced to defend them via legal redress at an employment tribunal. This is because Health Education England contended that “even if the facts alleged by Dr Day were true, HEE could not be liable in law for any acts causing him detriment.”

That was significant because, while not acting directly as the employer, HEE recruits doctors in training, supplies them to various trusts and appraises them. The result was a wholly unnecessary and extremely lengthy legal battle, whereby Health Education England, which is a body of the Minister’s Department, effectively sought to move around 54,000 doctors out of whistleblowing protection. Despite the clear principles at stake, the Government consistently refused to become involved in the case to prevent the costly and embarrassing outcome that we have now arrived at.

In September 2017, in a written parliamentary question, I asked about the cost to the NHS of defending the legal action brought by Dr Day. I was told that the total legal fees incurred by Health Education England stood at over £100,000, while Lewisham and Greenwich NHS Trust had incurred costs of £30,000. In May this year, Health Education England was ordered to pay Dr Day’s solicitors’ legal costs of £55,000 after it backed down and accepted that it should be considered an employer after all.
After four years and more than £200,000 of taxpayers’ money spent, Health Education England has accepted its responsibility and made a statement that I consider frankly astonishing:

“Having never wished to do anything other than facilitate whistleblowing for doctors in training, HEE is happy to be considered as a second employer for these purposes if it removes a potential barrier for junior doctors raising concerns.”

I ask the Minister to explain why this situation was allowed to go on for so long, when the case was refuted not on the basis of the facts, but on a technicality that flies in the face of everything we have tried to achieve today.

Dr Whitford: As in the case of Dr Day, the issue of poor staffing levels or rota gaps is a common incidence for people blowing the whistle because they feel it is unsafe. Scotland has just passed a safe staffing law, and I wonder whether, as with Datix and other systems, we need staffing level reporting to be seen not as whistleblowing but as something that should be done routinely. Whistleblowing would then start to become a smaller and smaller part of what staff might feel they had to do.

Justin Madders: That is an important point; we should see reporting issues such as staffing levels as something that would not be such a big deal. As is happening in Scotland, the safe levels should be ingrained not only into law, but into the culture of the workplace.

In conclusion, I repeat the same point that I made when the recent statutory instrument was discussed: that we now have a two-tier whistleblowing system, which provides some NHS employees with a greater level of protection than others working in the health and social care sector—social care workers, construction workers or anyone else who does not happen to work within those particular areas. Social care in particular is an issue. Public Concern at Work found that more than half of whistleblowers also reported some kind of victimisation, with 23% saying they had been dismissed after raising concerns. I ask the Minister, who is of course also responsible for social care, whether she considers that a satisfactory state of affairs.

Whistleblowers should be not just protected, but celebrated for the role they play in defending the safety of others. Nobody making such a disclosure should do so in fear, wherever they work, nor should they face the risk of having their livelihood taken away. We owe it to them to ensure that those protections are as effective as they can be.

5.18 pm

The Minister for Care (Caroline Dinenage): It is a great pleasure to serve under your chairmanship, Mr Davies.

I start by thanking the hon. Member for Central Ayrshire (Dr Whitford) for bringing forward this important debate on a vital issue and for the keen interest she has shown in patient safety across the board. I always listen carefully to what she says, not only because her contributions come from her perspective as a clinician—something that should be incredibly valued—but because, as a Member, I respect the practical, constructive and calm way she presents information to the House. It always makes an enormous difference as a Minister when information is given in that way. I also thank her for the role she has played in the pre-legislative scrutiny of the health service safety investigations Bill—another piece of legislation we are introducing to ensure that our health systems are continually learning and making a difference when things go wrong.

I also put on the record my thanks to my hon. Friend the Member for Stirling (Stephen Kerr) for setting up the all-party parliamentary group on whistleblowers. I am delighted he has taken that step. There are all-party parliamentary groups on a range of different issues, and one often wonders where they are coming from. However, I welcome his wholeheartedly, and I am keen to hear its considered recommendations. I am also delighted that the new Secretary of State for Health and Social Care has already stated his commitment to the health and social care workforce. The work of my hon. Friend’s APPG will go to the heart of that.

The Government are committed to building a culture of openness and transparency in the NHS, which is part of achieving our goal of making it the safest healthcare system in the world. We need to make sure that people who work in the NHS feel safe to speak up. We want that to become routine, and it is a key part of our commitment to ensuring patient safety and improving the quality of services. The NHS should support and welcome all staff—be they permanent employees, agency workers, volunteers or other contracted staff—raising concerns, wherever they have them.

The importance of people in healthcare speaking up has been demonstrated by many brave champions of patient safety, such as Helene Donnelly at the Mid Staffordshire NHS Foundation Trust. It is through the bravery of Helene and those like her that we can fullyrecognise the changes that have to happen in our health and care services. As the hon. Member for Central Ayrshire has said today and in the past, people blowing the whistle is a sign that the system has failed somewhere earlier on—that something has gone wrong and has not been put right. We want a culture in which we do not need whistleblowers like Helene because stronger protections and better patient safety measures are in place, because people feel confident to admit when something has gone wrong, and because people feel protected and supported and are willing to raise concerns in the workplace as a norm.

Hon. Members will know that I am the Member for Gosport. I have recused myself from speaking as a Minister on the situation there so that I can continue to represent my constituents in that case, which I have been involved in for the last eight years. However, the case amply demonstrated the risks of not listening to those who raise concerns. It is clear that much of the pain and suffering experienced by families could have been avoided had those whistleblowers been listened to earlier.

Speaking up and raising concerns should be routine in the NHS. As the hon. Lady said, whistleblowing legislation has been in place for 20 years, and all hon. Members have been vocal about its limitations. I am not averse to reviewing the legislation, and I am keen to hear any proposals that the new APPG and other Members feel would be appropriate. Evidence on the legislation’s effectiveness—or ineffectiveness—would be helpful. Hon. Members know that reviewing that legislation does not fall within the gift of either myself or the Department; the Department for Business, Energy and
Industrial Strategy holds the control there. However, I am more than happy to speak to Ministers in that Department about this.

We are aware that improvements to our health and care system are needed to ensure that workers feel safe to speak up about problems. Responses to our call for evidence in 2013 highlighted that whistleblowers did not feel that way, which is why we legislated in the Small Business, Enterprise and Employment Act 2015 to require prescribed persons to produce an annual report on whistleblowing disclosures made to them by workers. The regulations to implement that reporting duty are now in place, and the prescribed persons’ first annual reports, covering 2017-18, are due to be published in the next few months. That is aimed at increasing public confidence that prescribed persons take whistleblowing disclosures seriously, through greater transparency about how they handle disclosures, and particularly that they investigate and take action where necessary.

Dr Whitford: The Minister mentions prescribed persons. The fact that Members are also prescribed persons shows how difficult and confusing it can be for whistleblowers to know where they should go. I suggest it would be difficult and confusing for an MP to know what to do with such information and where to go. I recognise that the NHS, as one of the major generators of these cases, perhaps needs its own structure. However, if we had an independent body that covered all other sectors, everyone who wants to blow the whistle would at least know where to go, because a lot do not at the moment. As my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson) said, they may blow the whistle in the wrong way and to the wrong person, and they will suddenly not be covered by PIDA at all.

Caroline Dinenage: The hon. Lady makes a valid point, which we will take into consideration.

As the hon. Lady knows, the National Guardian’s Office was established in 2016, and the independent national guardian, Dr Henrietta Hughes, was appointed to support NHS whistleblowers and to improve the NHS reporting culture. The National Guardian’s Office also provides leadership, training and advice for a network of more than 750 “freedom to speak up” guardians based in all NHS trusts and foundation trusts. There have been more than 6,700 cases of speaking up in the last financial year. The National Guardian’s Office is looking to extend a network into primary care later this year.

The ability of the National Guardian’s Office to effectively engage the system is already helping it to make recommendations to trusts, arm’s length bodies, the Government and providers of services to the NHS to help drive this cultural change. Its role in the system is as an influencer of change, rather than an imposer of requirements. Organisations should rightly remain responsible for tackling their own cultural issues.

The NHS is one of the largest employers in the world and makes a large investment in its workers. We do not want to lose great people from the NHS because they face discrimination for doing the right thing. That is why we introduced protections from discrimination for people seeking NHS employment who are perceived to have previously blown the whistle. That regulation came into force in May and will support NHS Employers in being an exemplar to others in fostering a culture of openness and a willingness to report problems with care. Separately, we also extended the definition of “worker” within the whistleblowing statutory framework in the Employment Rights Act 1996 to include student nurses and student midwives, meaning that those people are now protected under the Act.

Aside from statutory protections, on 1 April 2016 NHS England and NHS Improvement published a single national integrated “speaking up” policy to provide clarity and consistency across the system. In March 2017, NHS England also launched the whistleblowing support scheme—a nationwide pilot to help workers in primary care who have spoken up. A similar pilot was launched in September 2017 by NHS Improvement for people who have made a disclosure in secondary care. The schemes offer a range of services to support people back into employment. It is too soon to say how the pilots are progressing and how effective they have been. The aim is to ensure that any future scheme is fit for purpose and meets the needs of people who require support after making a disclosure.

We have also made changes at the regulatory level of the health and care system to better protect whistleblowers. The CQC has a legal duty to report on whistleblowing disclosures, and it has revised the “well-led” domain of its inspection assessment framework to include how organisations are progressing with implementing the recommendations from “Freedom to Speak Up”. It is important to mention the link between an organisation’s CQC rating and how seriously it takes speaking up, with 100% of organisations rated as outstanding by the CQC having guardians who reported that speaking up is taken seriously in their organisation, in contrast with only 36% of trusts rated as inadequate.

NHS staff who are prepared to speak up are an important asset. We want NHS staff to feel confident that, when they speak up in the public interest, it will not have a negative impact on their career. Supporting those who speak up in the NHS is utterly crucial to achieving those aims.

5.29 pm

Dr Whitford: I appreciate how consensual the debate has been, and I hope the Minister recognises the points raised. As was mentioned, NHS structures will be different in each of the four nations, but PIDA sits above that. Perhaps, in trying to work together to tackle those differences, we can also share good practice from each country that sits within the NHS. We simply cannot go on as we are, because people die, and then people lose their careers. We are running without looking. I hope that the Minister takes this forward, both with the APPG and other Members.

Question put and agreed to.

Resolved,

That this House has considered NHS whistleblowers and the Public Interest Disclosure Act 1998.

5.30 pm

Sitting adjourned.
Nothing can prepare someone for the challenge of becoming a new parent—the sleepless nights, the new responsibility and the feeling that they suddenly have to put their old life on hold. As I have found since becoming a parent, a few months before my 40th birthday, raising a newborn child can be hugely rewarding. There is little that compares with the joy of seeing a child grow and develop. For most of us, it is a deeply fulfilling experience. Still, becoming a parent can have a dramatic impact on many people, in terms of both the stresses they experience and the impact it has on their relationships and their emotional wellbeing.

I will talk about how the Government can act to improve the lives of thousands of mothers in England who do not receive adequate support for perinatal mental health problems. The perinatal period is the time during pregnancy and the run-up to a birth, and the time immediately following the birth of a new baby. As a general practitioner as well as a parent, I have worked to provide mothers and newborn babies with the support and care they need in the perinatal period. It is a crucial time not only for the mother, but for the development of her child. It is also a time when great pressure is placed on mothers to care for their baby and simultaneously to be happy, excited and on top of life.

According to the mental health charity Mind, about one in five women experience mental health problems during pregnancy or in the year after they have given birth. Those mental health problems can come in many different forms—from eating disorders, to post-traumatic stress disorder, to anxiety and depression. If left untreated, the mental illnesses that these women experience can affect their whole lives, their ability to cope with being a parent and their relationships within and outside their families. The illnesses can affect attachment and bonding with the baby. At their extreme, perinatal mental health problems can lead to suicide and to long-term health problems for a child.

Dr Paul Williams (Stockton South) (Lab): I beg to move, That this House has considered perinatal mental illness.

It is a pleasure to serve under your chairmanship, Mr Davies. I and my colleague on the Select Committee on Health and Social Care, the hon. Member for South West Bedfordshire (Andrew Selous), are delighted to have secured this important debate, and I thank the Backbench Business Committee for granting it.

Nothing can prepare someone for the challenge of becoming a new parent—the sleepless nights, the new responsibility and the feeling that they suddenly have to put their old life on hold. As I have found since becoming a parent, a few months before my 40th birthday, raising a newborn child can be hugely rewarding. There is little that compares with the joy of seeing a child grow and develop. For most of us, it is a deeply fulfilling experience. Still, becoming a parent can have a dramatic impact on many people, in terms of both the stresses they experience and the impact it has on their relationships and their emotional wellbeing.

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16-year-olds is usually linked to their mother's pregnancy. I realise that the research is more complex, but given the worrying rise in the number of children and young people with mental health problems, is he as concerned as I am that one quarter of women are unable to access specialist perinatal services in the UK?

Dr Williams: I thank my hon. Friend for making several points, including that a child whose mum experiences mental health problems is more likely to develop mental health problems themselves. Despite significant Government investment in specialist perinatal mental health services, significant inequalities remain throughout the country and there are still areas where, as he said, one quarter of women with significant mental health problems are not able to access specialist facilities. I hope we will get the chance to talk more later about access to specialist services.

Other adverse childhood experiences include domestic violence; parental separation or divorce; being a victim of physical, sexual or emotional abuse; physical or emotional neglect; or growing up in a household where there are adults experiencing alcohol and drug problems. Mental health problems in a mother can have as significant an impact on a child as some of those other problems. The term ACEs was originally developed in the US, but other studies have reported similar findings in England and Wales. Those ACEs have, as my hon. Friend has said, been found to have lifelong impacts on health and behaviour. They are relevant to all sectors and involve all of society.

An ACE survey of adults in Wales found that, compared with people who had experienced no ACEs, those with four or more were more likely to have been in prison; develop heart disease; frequently visit their GP; develop type 2 diabetes; have committed violence in the last 12 months; and have health-harming behaviours, such as high-risk drinking, smoking or drug use.

Children's exposure to adverse and stressful experiences can have a long-lasting impact on their ability to think and to interact with others, and on their learning. Health and societal inequalities that develop during early years stick with children for life. That is why I chair the APPG for the prevention of adverse childhood experiences. It is also why the identification and treatment of maternal mental health problems is not only important for the individual mother but crucial for all of us in society.

National Childbirth Trust research shows that as many as half of new mothers' mental health problems are not picked up by a health professional. That is not to say that health professionals are not asking—they often are. There are many fantastic nurses, GPs, midwives, health visitors and others who provide care during pregnancy and during the post-natal period. However, those services, as my hon. Friend the Member for West Ham (Lyn Brown) has said, are overstretched. We all know how hard-pressed GP services are. The Government have acknowledged the problem and have promised to recruit an extra 5,000 GPs by 2020. However, they are failing miserably and are struggling to even maintain GP numbers. NHS Digital reports a decrease in full-time equivalent GPs from March 2017 to March 2018.

Perhaps a little less well known is the dramatic fall in the number of health visitors. Since 2015, there has been a loss of more than 2,000—almost a 20% drop—so each health visitor has to work harder. I commend health visitors for the work they do but, overall, women are experiencing a drop in services.

Staff numbers are part of the problem, but there are many other reasons why the problems of almost half of women with perinatal mental health problems are not identified. Stigma, and the societal pressure to be seen to be coping, makes it hard for some women to disclose that they have a mental health problem. Also, as the hon. Member for Thirsk and Malton (Kevin Hollinrake) has said, health services do not always ask women about their mental health in the most sensitive way. That is sometimes because they are pushed for time and sometimes because they have not been trained to sensitively and gently probe behind the “I’m okay” response that people are primed to give.

As a result, the hidden half of new mums with mental health problems struggle on alone, often afraid to reach out for help. The overwhelming majority of women who experienced a mental health problem said that it had an impact on their ability to cope or look after their children, and also on their family relationships. The mother of a woman suffering from post-natal depression told me:

“As a parent, watching a child go through that and feeling unable to make it better is a horrible experience. Health professionals need to make sure that husbands, partners and the family know about the likelihood of such depression... and know where to get support and help.”

Perinatal mental illness has an immediate effect not only on mothers; it can have lasting consequences for relationships in the wider family. With the added pressure to be a perfect mother, and the expectations from many that come along with that, it is no wonder that so many women feel unable to cope. One constituent described this to me:

“I remember comparing myself to the younger mums who would turn up to the mother and baby groups looking fresh and without a care in the world, making motherhood look like a walk in the park. Although my son was thriving, I felt like I was failing, because I wasn’t like the young mums or the ones in those perfect baby ads. I didn’t want to share my feelings because I felt I’d been a failure in comparison to them. I believe the pressures of our professions and the guilt of parenthood traps us into a dark place.”

It is often the most vulnerable who receive the least support, with evidence suggesting that those in areas of higher deprivation are less likely to be asked about their mental health. In dealing with this issue, the Minister has the chance to fulfil two parts of her ministerial brief, because investing in perinatal mental health will help to improve mental health and reduce health inequalities.

I have described the problem, but what are the solutions? Identification is key. Regardless of what services may or may not be out there—from specialist mother and baby units, to secondary care perinatal mental health teams, to cognitive behavioural therapy and the prescription of medication—half of women with the problem are not even identified. That is where I believe we need to start.

The disinvestment in health visiting is significant; there can be no solution to the problem while health visiting is not properly resourced. Will the Minister say what she intends to do within her Department to ensure that local authorities are adequately funded and supported...
so that there is investment in crucial services for children aged 0 to 19, rather than the cuts that we have seen in the past three years?

However, there is another, relatively low-cost opportunity to identify the hidden half. About six weeks after giving birth, new mothers see their GP for a six-week baby check, with many practices also offering a maternal health check. Official National Institute for Health and Care Excellence guidance encourages doctors to do that and inquire about a mother’s emotional wellbeing, providing an opportunity for them to spot the development of any mental health problems. That check could be the last time a mother sees a health professional for a routine appointment in which there is the opportunity to focus on the mother, rather than her baby.

While some women get an excellent six-week check, showing its potential, other women miss out. A fifth of women questioned in a recent NCT survey said that they were not asked about their emotional or mental wellbeing at that appointment. Some women’s checks are all about their baby. Why do all women not get the check that they need? Despite the six-week baby check being part of the GP contract, for which they receive funding, doctors do not receive any funding for the check on the mum. It is a credit to many practices that they offer the checks without funding, but making the time for a full appointment can be challenging, meaning that there is little opportunity to encourage a mother to talk about how she feels, which takes time. A rushed appointment can make many, like the constituent of the hon. Member for Thirsk and Malton, feeling dismissed, or like it was a tick-box exercise.

One woman I heard from recently said her appointment made her “feel like she was a burden”.

Another of my constituents spoke movingly of her experience:

“I knew there was something very wrong almost as soon as my son was born. Nothing I was 'supposed' to be feeling was happening. All I wanted to do was cry. I was feeling inadequate and unable to cope. If I had been asked if I was okay, I would have answered 'yes' but in reality, I was feeling terrible.”

I told my GP I had postnatal depression and that I needed some help. He told me ‘you have a good family, you should be grateful—you need to pull yourself together.’ I don’t think I have the words to explain how damaging that was. I felt too ashamed to see him again so I changed to another medical centre. My first appointment was with a GP who listened to me. I found the courage to confide in her and she offered me support straight away. I remember very little of my child’s first year of life and I’m sure that is because of the trauma and deep depression I experienced.”

That could have been prevented if my constituent had been seen early on in the post-natal period, and if that first GP had delivered open, supportive questioning that reassured her, rather than made her feel ashamed.

Another constituent told me:

“I sat down with my GP, who had a check-list printed out and placed on his desk. He ran through the questions at a rapid rate, didn’t listen to my answers at all and placed ticks in the boxes after he asked the questions—not based on my reply. Hopefully a separate check for mothers can be achieved, as mothers just want someone to talk to who will not judge them for their feelings.”

About 30% of women diagnosed with post-natal depression still have depression beyond the first year of childbirth. If problems are not identified and treated early, they can worsen and develop into a much more severe mental illness. That underlines the need for an early check. If depression was recognised and treated appropriately within the perinatal period, it could prevent some effects that are much harder to treat in the long run.

**Lyn Brown:** I am sorry to intervene again. I intended to make a speech, but I am needed elsewhere, so I will ask a question. I have a lot of time for the Minister and I am wondering how we can help her to make the necessary case to the Treasury. Is it not true that if we look after the parent and the child as early and as well as possible, that will save massive amounts of money in the long term? This is an invest-to-save opportunity, and it would be welcome if the Government took it.

**Dr Williams:** Thank you, my hon. Friend for her intervention. I have avoided, as much as I can, talking about money in the debate—not all of this is about money, but there are many opportunities to make a massive difference. If we can draw a direct link between a mum’s experiencing mental health problems and the damage that that may do to her child—it increases the child’s chance of developing health problems and even of being involved in crime later in life—there are certainly opportunities to invest to save.

We must not forget, either, that perinatal mental illness has serious consequences for the mother. Suicide is the leading cause of direct maternal deaths occurring within a year after the end of pregnancy in the UK. It is at least possible that if an effective six-week check were in place, some of those deaths would be prevented. Of course, this is, as many hon. Members have said, a complex issue. Diagnosis and treatment are complex, but in addition some health services undoubtedly do not give women the care that they need. Women feel that they are still being dismissed, stigmatised and ignored. However, we should not blame the individual GPs and health professionals who carry out the checks; we should look to change the guidance, the system and the structure in place.

From its research, the NCT has made three recommendations. The first is to fund the six-week maternal post-natal check so that GP surgeries have the time and resources to give every new mother a full appointment for the maternal check. At the moment, although the check focusing on the baby is contracted for and there is funding available for it, there is no requirement for a six-week check on mothers. Checks on mothers, if they are done, are often compressed into the baby’s check, so conversations about mental health may be rushed or sidelined completely.

A constituent got in touch after I said that I was going to speak in this debate. Her response was surprising. She said:

“After the birth of my first child, I suffered terribly with post-natal anxiety—something I didn’t even know was a thing. I don’t remember anyone ever picking up on how I was feeling and no one ever really asked.

Then after the birth of my second child I believe I was depressed. When he was born I didn’t feel anything which then made me feel guilty”—a common theme—“and I struggled to bond with him over the first year.”

She then said:

“I believe I met you”—
meaning me, because I was working as a GP in the constituency at the time—

“at my six-week check with him and I remember you asking how I was feeling. After telling you I think I may have needed to”

get some extra help

“for more therapy, you agreed it was a good idea and told me to come back”

for follow-up. She continued:

“I think women need to know where they can go for help and what signs to look out for. I was too scared to tell anyone that I didn’t feel any bond with my son because I think there’s still such a stigma around mental ill health.

I do think the idea of a separate appointment for the mother would be a good idea and more signposting to support groups, how to self-refer, confidential information and advice.”

That experience with my patient, who is now my constituent, demonstrates the value of making time to identify and explore perinatal mental health issues. It might be argued that GPs should be doing that anyway, even if it is not contract for. I would respond by saying that some are and some are not. GPs do many things that are not in their contract. But the only way of getting true national coverage and the time needed to do a proper job is to resource it.

Kevin Hollinrake: The hon. Gentleman will be aware that £365 million has been set aside for perinatal mental health services. He is not too far away from North Yorkshire himself, and North Yorkshire has just secured £23 million of that to help with perinatal mental health services for new and expectant mothers.

Dr Williams: I do give credit to the Government for making investments in this area of provision. We started from quite a low baseline. There has been significant investment. Too many women are still missing out on these specialist services; the coverage throughout the country is patchy, but I acknowledge that things are improving. However, if we are not identifying half the women with perinatal mental health problems, that is a significant problem in itself.

The investment required to identify problems through the six-week check is estimated by the NCT to be about £20 million a year. That is a very small amount in the grand scheme of the NHS’s budget, but it could make a huge difference to many new mothers. Secondly, in addition to the funding for the six-week check, the NCT recommends improved guidance for GPs on best practice on mental health, specifying a separate appointment for the maternal six-week check and the best methods of encouraging disclosure of maternal mental health problems.

A separate check involving supportive, open and encouraging questioning would provide an opportunity for women to come forward with any problem that they may be having. It might also help to eliminate some of the feelings of stigma or shame; 60% of women said that they felt embarrassed, ashamed or worried about being judged. Just because it is in a GP’s contract does not mean that a doctor has to do the work; with the right training in place, it can just as effectively be undertaken by a practice nurse or other suitably qualified healthcare professional. What is important is that it forms part of the ongoing relationship that a new mother has with her GP practice.

The third NCT recommendation covers NHS investment in and facilitation of GP education. It is important that GPs are trained to recognise the symptoms of post-natal depression and differentiate them from “the baby blues”, which resolve on their own; and it is crucial that mothers are reassured and valued, not dismissed.

These three relatively straightforward measures—a contractual obligation, guidance, and training—could make a huge difference to many women’s and children’s lives. They could eliminate some of the preventable problems encountered by women suffering from perinatal mental illness. The average cost to society of one case of perinatal depression is estimated at £74,000. With an already overstretched NHS under immense pressure, these measures could alleviate some of the stresses placed, later, on mental health services; they will inevitably have to deal with the consequences of undiagnosed and untreated perinatal mental health problems.

With this debate, we are already raising awareness and challenging some of the stigma surrounding perinatal mental health, but we also have a unique opportunity to do something practical to address the problem. Negotiations for the new GP contract begin in September, and by holding this debate today, we want to gain wider support for these important recommendations to be included in the new contract.

There are many other areas of perinatal mental health that I hope we get the chance to explore in this debate. We have already discussed the availability of specialist perinatal mental health services. I hope that we also talk about the variable access to psychological therapies, which are excellent in some parts of the country; in other parts of the country, women struggle to access those services, too. I am very grateful to the other hon. Members who have come today to speak and contribute.

I consider myself to be a fortunate father, one whose experience of parenting has so far been very positive. Many parents are not so lucky. When I hear the heartbreaking stories of women whose post-natal depression has blighted their and their family’s experience of parenthood, I am reminded of just how fortunate I have been. I am also acutely aware of how damaging it will be to wider society over the longer term if we do not improve the way in which we handle this issue. We need to bring the hidden half of these women out of hiding. Post-natal mental illness is not just a problem for new mums. If we fail to tackle it, we risk failing the next generation of children, too.

1.58 pm

Andrew Selous (South West Bedfordshire) (Con): It is an enormous pleasure to follow my colleague on the Health and Social Care Committee, the hon. Member for Stockton South (Dr Williams). I commend him for a tour de force of a speech, which was extremely comprehensive. I will not speak for as long as he did and I will try not to cover the points that he did, because this is a large area and there is a lot to say about it.

It might be a little surprising to some that two men are opening this debate on perinatal mental illness, but I strongly disagree with anyone who thinks that we should not be, because the strapline of the Maternal Mental Health Alliance is that this is “Everyone’s Business”. [Dr Paul Williams]
That is exactly what it is. We need men advocating and agitating, if this issue is to be taken seriously and dealt with properly.

The Health and Social Care Committee and the Education Committee, in a report earlier this year in response to the Government’s Green Paper on transforming children and young people’s mental health, included a contribution from our excellent Children’s Commissioner for England, Anne Longfield. In evidence to both Select Committees, she said:

“I would like to see a comprehensive starting point that looks at children from birth and pre-birth onwards, and recognises that problems develop along the way; and the earlier and the nearer to home they can be treated, the better it is going to be for the child.”

I think that is a really important point. While there is a lot to be commended in the Government’s Green Paper, we know that in early intervention the earliest years are key.

The Prime Minister and the Chancellor have allocated an extra £20 billion to the Department of Health and Social Care. That gives us an enormous opportunity. Quite properly, the Government are not rushing decisions on how that money will be spent. We will be thoughtful and considered, to ensure that we make wise choices. For my money, prevention and early intervention would be a good use of that money. I am sure that the Minister will push hard in the Department, to ensure that this area is prioritised.

The hon. Member for Stockton South, who spoke so well, talked a lot about the GP checks. I want to press the Minister on how this is supposed to be working at the moment, so that we can learn from it and get it right when the GP contract is renewed in September. My understanding is that Ministers have made it clear that all GP surgeries must offer a six-week post-natal check, to assess how a woman has experienced her transition to motherhood, which includes a check on her mental health. Further, I understand that GPs who opt out from doing so receive a reduction in funding. Until fairly recently, Ministers had been informed that only four practices in England had opted out. Given that information from the Department of Health and Social Care, and given that we are paying for that service and it is supposed to be happening, how is it that 22% of the women in the National Childbirth Trust survey said that they were not asked about their emotional or mental wellbeing at their appointment? Are we, as taxpayers, paying for a service that many GP practices are not providing? I ask the Minister to address the oversight and accountability of GPs in this area.

I realise that we need more GPs. The good news is that a number of them are leaving general practice in their mid-50s, which is a crying shame. We cannot afford for them to leave in their mid-50s. We cannot force people to work as GPs, but in their 50s they have so much experience and they are so needed. There is an issue of making the role of the GP less stressful and more enjoyable. In general, the Government need to think more about ensuring that public servants across the board have greater job satisfaction, so that they enjoy and look forward to going to work each day. If we have more GPs and they are less stressed, they should be able to do this work better.

I do not think I received a briefing from the Royal College of General Practitioners for this debate—perhaps I missed it. I am grateful for the briefings we had from a number of Royal Colleges and different organisations, all of which have been extremely helpful, but it would be good to have the full involvement of the Royal College of General Practitioners in addressing the incredibly important issue of perinatal mental health. Hon. Members are absolutely right to raise the training issue.

Earlier this week, I chaired the all-party parliamentary group for supporting couple relationships and reducing inter-parental conflict. We were looking at the issue of loneliness. New parents are one of the groups in society who often feel quite alone, if they do not have all the support networks that we would ideally like them to have. Someone at that meeting said that raising mental health touched on GPs’ anxiety that they would open a Pandora’s box of issues that would take them some time to deal with. GPs generally work to 10-minute appointments. We need to ensure that they have the time, in a relaxed environment, to go into these issues properly. It cannot be done in a rush or on a tick-box basis.

I want to pay attention to the important role that fathers and the partners of women with newborn children have in this area, because it needs to be properly recognised. Unsurprisingly, mothers report that fathers are their main source of emotional support. Yet fathers can sometimes feel left out and not as fully involved as they could and should be in dealing with perinatal mental illness, while the mother of the child wants the father to be involved. We have not always done as well in that area as we should.

I understand that there is evidence that a father’s involvement in pregnancy increases the likelihood that a woman will receive pre-natal care in her first trimester by 40%. The Royal College of Midwives also reports evidence that teaching massage and relaxation techniques to fathers to assist during labour is an effective way of reducing antenatal maternal stress. This suggests the importance of assessing and addressing a range of attitudes and behaviours on the part of expectant fathers—not just domestic abuse but their own mental health, substance abuse, hostility, infidelity, rejection of the pregnancy and so on. Those issues must be dealt with, because they will have a huge impact on the wellbeing of the mother.

As I have said, poor paternal mental health has an impact on maternal mental health. Research suggests that a father’s mood and anxiety disorder can exacerbate the effects of a mother’s poor mental health and escalate the risk of a child developing emotional and behavioural problems.
problems, while fathers with better mental health can provide a buffer against the negative impacts. Fathers and partners are very important, and I am grateful to the Centre for Social Justice for pulling together some of that research.

Again, I am grateful to the Centre for Social Justice for drawing my attention to Greenwich Mind, which is a practical example of a service that provides answers to some of the issues that I have described. It works in partnership with Tavistock Relationships and other local providers to run post-natal support groups and parenting workshops in local children's centres for parents with or at risk of depression. Those activities specifically focus on the co-parenting relationship, not least in terms of how it is affected by adjusting to parenthood. Evaluations show that relationship quality and mental health improved as a result. That is an example of a good service that we need to see more of.

We must remember the wise words of the hon. Member for Stockton South about the impact that maternal mental health has on children's development. The health and mental wellbeing of our children is key. I also serve as a vice chair of the all-party parliamentary group on adverse childhood experiences. We are a bit behind the curve in this area in England. The research in America is overwhelming. As an English Member of Parliament, it concerns me that the understanding of it is better in Scotland than in England; the same could be said for Wales and Northern Ireland. I look forward to the time when England is at the same level of understanding.

I will not repeat what the hon. Gentleman said about the earliest years of a child's development, but those issues really matter. The wellbeing of the mother—indeed, of both parents—in those early months is critical for how it is affected by adjusting to parenthood. Evaluations show that relationship quality and mental health improved as a result. That is an example of a good service that we need to see more of.

The work of the NCT is vital and a great support to parents all over the world. In Northern Ireland, we have three active branches that offer local mums, dads and families vital information, resources, connection points, community and friendship when they need it most. I thank the charity for the time and energy it has put into the research for the #HiddenHalf campaign, which has focused our attention on the issue of maternal mental health. It is clear from its work, and that of all those in the maternal mental health arena, that too many women go undiagnosed and unsupported. This debate must be a way to address those issues verbally, and we look forward to the Minister's response about how she will help us.

NCT's #HiddenHalf statistic that the problems of almost 50% of women who were surveyed, and who struggled, were not identified by a healthcare professional and that they did not receive any help or treatment is shocking. We must work together to change that. All the hon. Members who have spoken so far have reiterated that point.

My parliamentary aide, Naomi Armstrong-Cotter, who is also a local councillor, has spoken out in a personal way about her experience of miscarriage, of successful pregnancies afterwards, and of the fact that a leaflet handed to someone is not enough to give them the tools to deal with the emptiness of that loss. Our local paper, the Newtowards Chronicle, gave her an opportunity to tell that story; coincidentally, that appeared last week. Her plea was for greater support during and after pregnancy; for a network whereby someone did not have to search for help, but it was ready and waiting; and for follow-ups to be given more effectively. She is now blessed by God with two children, and I have no doubt that her family's support kept her life together when she was having great difficulty trying to adjust to what was happening to her.

My party fully supports the #HiddenHalf campaign and I attended an excellent event in Parliament two weeks ago to raise awareness of its work on the issue, where I heard stories from mums whose lives have been marked by the illness and by not receiving the timely help that was necessary to make a difference. The event was hosted by my hon. Friend the Member for Belfast East, who understands only too well the devastating impact that maternal mental illness can have on women and the wider family unit. He was the other half who lived with the difficulties that his wife Lindsay was having. She struggled and suffered for two years before getting help. She has given me express permission to use her experience in this place to highlight the failings and the need for a brighter future.

From her experience, Lindsay spearheads the campaign in Northern Ireland for mums, dads and their families to get the support they need and deserve via her movement, "Have you seen that girl?" At the event that I and others attended, the impact of the NCT NI volunteers was clear. She also plays a role in the Maternal Mental Health Alliance's Everyone's Business campaign, of which NCT is also a part. Many charities and bodies have come together to offer support.

From the point of view of the two ladies whom I have referred to—my permanent parliamentary assistant and speechwriter and the wife of my hon. Friend the Member for Belfast East—the Church has also helped. It is important to have a faith and to have access to that at an important time.
Having met Lindsay—I spoke to her this morning, just before she left here—I understand that 80% of Northern Ireland still does not have access to specialist perinatal mental health services and that funded community-based peer support is limited. I understand that the Minister is not responsible for Northern Ireland, but from a Northern Ireland perspective, unfortunately, I would be surprised if we were not behind the rest of the UK, which is not good. We need to be up alongside and equal to other countries across the United Kingdom, as the hon. Member for South West Bedfordshire said, but treatment and support is a postcode lottery with too many mums and families being let down when they are at their most vulnerable.

The campaign for change is based on three areas. There should be provision of a mother and baby unit. Unlike in England, Scotland and Wales, a mother and baby unit is not available in Northern Ireland, which is disappointing—or is it on the whole island of Ireland. The Minister is not responsible for that either, but it shows hon. Members that across north and south Ireland, we have not moved to make that happen. That means that mum and baby have to be separated should in-patient treatment be required. That is a very negative thing. I want to give a perspective on where we are in Northern Ireland and also say what has happened there recently. Some headway has been made—not enough, I have to say, but some at least.

The situation is simply not good enough and can have further negative effects on the mum and the family. There are five health trusts in Northern Ireland, but such specialist services for mothers are currently only available in one: the Belfast Health and Social Care Trust. Although that trust’s services are fantastic, they cannot meet the needs of the whole population of Northern Ireland; that would be impossible for one trust. Mums and families outside the Belfast trust’s area also deserve access to specially designed care and support.

Community-based peer support is also important. I am informed that currently great support is provided in the community and in the voluntary sector, often by mums themselves. How often do mums all come together to support each other? My wife had great support when we had our children; that was not only family support but treatment and support is a postcode lottery with too many mums and families being let down when they are at their most vulnerable.

I make a plea. I am aware of the NCT’s Parents in Mind programme, which is running very successfully here in England—on the mainland—and doing tremendous work. MPs from the mainland will know that and welcome it. NCT Northern Ireland volunteers are keen to source funding to bring that programme, or a similar one, to parents in Northern Ireland. We look forward to the day when that happens. For many parents, peer support is a lifeline, offered by those mothers who have faced a similar battle and who are keen to receive support. My wife had great support when we had our children; that was not only family support but such specialist services for mothers are currently only available in one: the Belfast Health and Social Care Trust. Although that trust’s services are fantastic, they cannot meet the needs of the whole population of Northern Ireland; that would be impossible for one trust. Mums and families outside the Belfast trust’s area also deserve access to specially designed care and support.

I am also aware from my party colleagues in Northern Ireland that Lindsay Robinson and Tom McEneaney, working with the Maternal Mental Health Alliance, led a team of campaigners to meet the all-party working group on mental health at Stormont; although Stormont and the Northern Ireland Assembly are still not functioning as they should, meetings still take place. The campaigners presented the information and asked all the Northern Ireland parties to sign a consensus statement, pledging their commitment to action all of the issues that I have mentioned as soon as possible. I am delighted that my party—the Democratic Unionist party, for which I am the health spokesman—has signed up to that, and I am assured that other parties have also signed up to it. We are keen to meet further with the team and give them our support. I hope that we are considering a strategy that will take us right through the next period, hopefully with a functioning Assembly. However, the strategy will certainly work, whether or not the Assembly is up and running.

I will close now, Mr Davies; I am always very conscious that there are other speakers to come. In closing, I again offer my full support to the NCT’s #HiddenHalf campaign and its goals here in England—on the mainland—and I thank the NCT for its continued support for the campaign in Northern Ireland. The NCT is supporting our campaign in Northern Ireland and we thank it for that, because it is very important that we have that support. As I have said often, we are better together—the United Kingdom of Great Britain and Northern Ireland—with all regions working on things that are of mutual interest to us all. I understand that the NCT is fully behind all that is happening and will become further involved in the coming months, and I look forward to that.

Also, I commend Lindsay Robinson and all those who have been campaigning in Northern Ireland for improvements to maternal mental health. We know that they are making a difference, both to the parents in their communities and also with decision makers. However, we must also take action in this House. We must do what we can to honour the bravery of those who lay their experience on the line for people to see and bring about changes that support mothers and families across the UK.

Again, I congratulate the hon. Member for Stockton South on securing this debate and other Members who have spoken or who will speak; I look forward to hearing all the contributions to the debate.

2.23 pm

Rosie Duffield (Canterbury) (Lab): It is a pleasure to serve under your chairship, Mr Davies, and I congratulate my hon. Friend the Member for Stockton South (Dr Williams) and the hon. Member for South West Bedfordshire (Andrew Selous) on securing this debate.

We should judge the success of our society by how we treat our new mothers—it really is that simple. I am here today to speak up for better-quality, more consistent and well-funded services for perinatal women.

I am not a new mother. In fact, my youngest teenage son is sitting just over there in the Public Gallery and Members may be able to tell from his towering 6-foot frame just how long it has been since I was recovering from giving birth to him, the second of my two gigantic children. Even so, I remember those special early days for all the many wonderful, and some horrible, reasons that all mothers will know.

We do not discuss post-natal truths enough in the UK. Women will sometimes share with their friends the gory details of their experience of giving birth, but we rarely ever see in the print media, on TV, or in films what happens after a baby is born. If the fairy tale does
[Rosie Duffield]

not end when Cinderella wed her prince, as most fairy tales do, it most certainly has ended by the time Cinderella has entered her third trimester and is waddling around the palace. Nobody wants to hear about Cinderella’s third-degree tear, the fact that her boobs leak, the possibility that she may experience incontinence, or the fact that, even though she has a wonderful, healthy baby in her arms, she just cannot stop crying. But fairy tales are out of date and so is the fact that we do not talk about perinatal experiences—both external and internal experiences—with the honesty we need.

Things are changing, however. After all, we are here today saying that what is on offer to post-partum women in the UK just is not good enough. It is outrageous that women in one quarter of the UK are still without access to specialist perinatal mental health services. How can the mental healthcare of new mothers still be a postcode lottery? It is not as if mental health changes are uncommon after a woman has given birth. In fact, 81% of women say they have experienced at least one perinatal mental health condition either during or after their pregnancy.

I know from talking to friends, family and, indeed, constituents how imperative perinatal mental health support is. We must remember that three quarters of women who say they have experienced a perinatal mental health condition had no previous history of mental health problems. For those who have experienced mental health problems before giving birth, changes to the brain’s chemistry post-birth, combined with post-partum isolation, can trigger the return of symptoms that they had previously experienced, often in their teenage years.

Speedy referrals and access to early treatment is vital for those who experience mental health issues during or after pregnancy. What is so worrying is that it takes more than four weeks for 38% of women in the UK who are referred to be seen. In fact, there are cases of women suffering post-partum who have the courage to seek help from their doctors and health visiting teams but who still have to wait beyond a year for help after referral. That is a whole year that these women are waiting for help in what is often one of the most turbulent, joyous, change-filled and complicated times in any mother’s life. Any service that keeps people waiting for more weeks that I can count on the fingers of one hand is completely unfit for purpose.

We must close the funding gaps that cause huge waits—it is reassuring to hear that the Government intend to do that—and end omissions in service provision. We must also ensure that maternity services do not remain overstretched and understaffed. We must bring back full bursaries for midwives and related healthcare qualifications, which will allow staffing gaps to be filled with the much-needed new caring talent that will have the capacity to offer continuity of care to high-risk women in pre and post-natal moments of vulnerability. The erosion of higher education bursaries, especially for nurses, midwives and other healthcare students, was yet another example of this Government knowing the cost of everything but the value of nothing.

There is another reason why we must act and act soon. A study by the department of anthropology at the University of Kent, which is in my constituency, shows that post-partum depression discourages mothers from having more than two children. The decision to have children, or the decision to have more children, is a woman’s choice alone. However, that choice must be made without the pressures and limitations that come with poor funding of post-natal care. A choice made through fear is no free choice at all.

I completely echo colleagues’ calls for there to be much greater depth in the maternal six-week check. The baby’s check by the doctor and the mother’s check by her doctor must be separate. A woman’s six-week check cannot be limited, as I so often hear it is, to a few rushed questions. I have been told of women being asked only about the contraception they plan to use, with no questions at all about their physical or mental wellbeing. I have heard from friends that their doctors simply asked them, “Are you feeling okay?” That is not a proper question. As any mother will say, the moment their new new-born is in their arms, the definition of what was previously considered “okay” is thrown out of the window. Time must be put aside for proper, in-depth questions and for real insight.

After all, as we have already heard, according to the Royal College of Midwives 42% of women with post-natal depression never even mention it to a healthcare professional, and three quarters of those women stay quiet because they feel guilty about having such thoughts. Moreover, many women are led to believe that serious mental health issues are merely a bout of the baby blues. We urgently need proper training and proper conversations to create an environment where mothers feel safe, well-informed and able to talk about any difficult experiences.

I acknowledge that even the most thorough six-week check for women would not always pick up on everything. Post-natal depression can sometimes manifest slowly. One study suggested that the majority of women experiencing symptoms did not report them until six months post-partum or later. To tackle that, I urge that the maternal mental health check by health visitors at three to four months is reinstated. Even taking more time at that early point when a woman is sat with her GP at the six-week check will save lives. A couple of weeks ago, I attended the NCT’s #HiddenHalf event, where several brave women attested to just that.

Andrew Selous: Has the hon. Lady had a chance to look at the clinical evidence base for the effectiveness of the three to four-month check? Is she aware of a good base of evidence from clinicians that it is a sensible use of money at that point?

Rosie Duffield: I thank the hon. Gentleman for that intervention. I have not looked at the issue in that kind of depth. I have been working on it with local women and local groups who suggest that it would be good to reinstate it. I will look into it further.

The women at the #HiddenHalf campaign event said that their lives had been saved by a fortuitous visit to the right GP at the right time, but they know they were the lucky ones. The mother’s six-week check must also allow time for a full physical health check to prevent long-term and often totally avoidable health complications resulting from difficult deliveries. Furthermore, it is my belief that a course of pelvic floor physio should be provided for every single woman who has experienced a vaginal birth, as happens in France. I am working with
a group of women on health policy for post-partum women. This debate focuses on the perinatal health symptoms of the hidden half, but many of the mental health conditions that health visitors report are triggered by the physical trauma of a difficult birth and women having to reconcile themselves to a completely new sort of body.

Those of us here today will not stop campaigning and raising the issue until the situation changes for new mothers and new families who need our help. We should get the full truth of post-natal motherhood out there and become a country that can rightly say, “There’s lots of help here for you. We will assist you and your families for as long as it takes. We are here to champion and celebrate you in being the happy, healthy, supported mother that you ought to be able to be.”

2.32 pm

Wera Hobhouse (Bath) (LD): It is a real pleasure to serve under your chairship, Mr Davies. I congratulate the hon. Member for Stockton South (Dr Williams) on securing this excellent debate, which perfectly brings together my personal and political lives. I am a mother of four and, like the hon. Member for Canterbury (Rosie Duffield), I had them 20 years ago so I know what it feels like to have children completely outgrow me.

This issue does not go away. When I speak to mothers in my constituency, I know that the issue of perinatal health is as alive as when I was a young mum. Some things are getting better, but others are getting worse, particularly because of the time that health professionals can give to people who come to a surgery or the time that a health visitor can give to someone in their home.

I am here because I serve on the all-party group for the prevention of adverse childhood experiences. ACEs are well known in the United States, and the APPG is doing excellent work with the WAVE—Worldwide Alternatives to Violence—Trust. I also pay tribute to the #HiddenHalf campaign group, which came to the APPG the other day and specifically campaigned on the additional six-week check-up for mothers after childbirth.

Pregnancy, childbirth and the first year of a baby’s life is one of the most life-changing experiences in a woman’s life and her partner’s life. It is meant to be amazing, exciting and wonderful. All the folklore and our societal expectations are around how wonderful all that is. Actually, it is a time of profound change. In my experience, it is not only physical change, but mental change. Most women who have experienced pregnancy and childbirth will testify that a big mental change happens, too. All women are at a vulnerable point at that time in their lives. Apart from the physical exhaustion, there is the pressure to prepare and provide for another person’s life. All parents ask themselves how they will cope, how it will all work out, and whether they will love this new being.

While medical attention is focused on the physical health of the mother, the unborn child and, later, the born child, little medical attention is given to mental health during pregnancy and after birth. We are missing out on a vital aspect of health, with enormous consequences for the mother and the child. The APPG is concentrating on this particular issue: adverse childhood experiences and what affects a child’s health from the start.

We know how vital the first 12 months are for a new baby. An enormous amount of development is happening not only physically, but mentally and emotionally. If a mother is mentally unwell—for example, if she is depressed or suffering from anxiety—she will not bond properly with her newborn baby. She cannot give the baby the attention it needs, and the child will suffer. We know that a lack of attention during the first 12 months puts a child at a severe disadvantage for the rest of their life. To address that, they will require a lot more intervention later on, with a lot of extra resources. It therefore makes utter sense to focus our attention on a mother’s mental health before, during and after pregnancy. No woman can be expected to be in perfect mental health during those profound changes in her life. Even mild mental health problems can lead to much bigger problems, with severe consequences for mother and child.

I fully support the call for a six-week check-up in addition to that which already exists and which focuses mainly on the baby. The additional check-up should focus on the mother and her mental health. In my experience, I was never asked how I felt; I was expected to get on. If anybody had asked me, I would probably have cracked up and cried—and why not? It would have brought out that I felt utterly exhausted, inadequate and isolated. I felt that I was letting people around me down. I would probably have been reassured that that was normal, and people would have kept an eye on me.

We still do not know enough about mental health, but as with physical health, early detection and intervention are key. Sometimes symptoms go away on their own, but unlike with physical health, many people will not go back to their doctors if mental health problems do not go away. Those problems can fester and grow bigger. With a six-week check-up, we have a chance of early detection and early intervention. To conclude, let us ensure that all new parents receive the full support they need and deserve. It will be of great advantage to us all.

2.38 pm

Alison Thewliss (Glasgow Central) (SNP): It is a pleasure to serve under your chairmanship, Mr Davies. First, I thank the National Childbirth Trust for its work and campaigning on this issue and the hon. Members for Stockton South (Dr Williams) and for South West Bedfordshire (Andrew Selous) for bringing this issue to the House. I thank all the Members who have spoken so passionately. There were common themes on access to support, expectations on mothers and being able to talk about post-natal depression.

Perinatal mental illness is crucial for families, and I welcome the calls for a more comprehensive six-week check and the implementation of the other recommendations made by the NCT. Other Members have talked about their experience, so I will mention my own, which was largely fine, other than the stress of being a new parent and being responsible for a new baby. Those things are overwhelming. New parents are given a tiny baby and they leave the hospital with it, and then they have to look after it for the rest of their life. That is quite a big deal, and we downplay it a little bit in society.

My pregnancies were trouble-free and my babies were both well, but in reflecting on this issue, I remembered vividly having panic dreams in which the baby had gone
mental health problems. That can affect children’s transition better development than those whose mothers had repeated had brief mental health problems. Those children had and emotional development than those whose mothers

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embarrassment continue to be rife. The NCT report
that key intervention point, and that stigma and

cannot be complacent about how difficult it can be.
are all very vulnerable in those circumstances, and we

as we saw with her recent performances, she has come back very strongly, but we
are all very vulnerable in those circumstances, and we
cannot be complacent about how difficult it can be.

Research from the National Childbirth Trust found
that only 50% of women get the help that they need at
that key intervention point, and that stigma and
embarassment continue to be rife. The NCT report
also highlights the genuine fear that women have—46% in
the survey—of the consequences of a healthcare
professional thinking that they are incapable of looking
after their baby. Certainly in Glasgow, where there are
many cases of social work intervention in families,
women are scared that if they confess to any weaknesses,
they will lose the care of their child. That might not be
the case, but the fear is enough to stop women coming forward.

Socioeconomic factors are in play, and perinatal mental health problems are a major risk factor in poor outcomes for children and mothers. Mothers in areas of higher deprivation are far more likely to experience repeated mental health problems and predicted future problems. There is thought to be a direct causality between poor mental health and children’s development. A longitudinal survey in Scotland showed that children whose mothers were emotionally well had better social, behavioural and emotional development than those whose mothers had brief mental health problems. Those children had better development than those whose mothers had repeated mental health problems. That can affect children’s transition to school and their subsequent development and attainment.

I recommend looking at the work of Scotland’s former chief medical officer, Sir Harry Burns, who has spoken passionately about the impact of children’s mental health and of parental mental health, and the consequences that it can have.

In Scotland, we have moved towards a nationally co-ordinated systemic approach. The Scottish Government’s new mental health strategy for 2017 to 2027 focuses specifically on allowing children to start their lives with good mental health. The Scottish Government have funded a national managed clinical network on perinatal mental health to the tune of £173,000 per year. It is the first MCN covering mental health in Scotland. The network will provide a focus, enabling us to improve standards for all children and new mothers across Scotland. The MCN is multidisciplinary, involving specialists in perinatal mental health, nursing, maternity and infant mental health. The establishment of the first network for mental health is part of the Scottish National party Government’s determination to give mental health parity with physical health. I understand that such clinical networks work in other parts of the health service and have a proven track record of driving up standards of care across the board.

I have seen figures that suggest that one in eight babies in Scotland are born to a parent who has experienced mental health issues, so it is significant and widespread. We know that perinatal mental health problems do not only affect mothers; they have a wider impact on the family. The MCN is taking forward a work plan addressing that, which includes assessing current provision across all levels of service delivery in Scotland. In the longer term, that will ensure that all women, and their infants and families, have equity of access to the perinatal mental health services that they need right across Scotland, where we have huge rural areas, many islands and various geographical challenges to overcome.

In its review of the current provision, the network will pay particular attention to the pathways into care for women who may live some distance from an existing mother and baby unit, and will make recommendations on improving access where difficulties emerge. The hon. Member for Strangford (Jim Shannon) spoke passionately about the issues that that causes in Northern Ireland and in Ireland more widely, where women cannot access mother and baby units and the support that they need. It must be even more stressful if a woman has to travel over the sea to get to a unit that provides the support they dearly need. In doing so, they will lose contact with family networks that could also support them.

Another core remit of the MCN is to determine what training midwives, health visitors, primary care and mental health professionals—

2.45 pm
Sitting suspended for a Division in the House.

[Andrew Rosindell in the Chair]

2.57 pm
On resuming—

Alison Thewliss: I see we have had a change of Chair, Mr Rosindell. It is good to see you.

As I was saying before we were interrupted by the vote, the managed clinical network aims to ensure equitable co-ordinated access to mental health provision for pregnant
and post-natal women. It seeks to understand current provision and promote improvements in local services, including access and options for families, professional expertise and effective service delivery. Beyond that, it will seek to contribute to improved early years health and development for infants, as part of a broader Scottish Government intention for improved early intervention. The MCN will make fuller recommendations before the end of this year on what services should be available in all board areas to meet the needs of women and their families.

The most exciting part about that for me was the women and families maternal mental health charter, “My Right to Good Care from NHS Scotland for my Baby, my Family and Me”, which was launched on 4 June. The charter has nine points, which I want to put on the record. They are, first, the right to be at the centre of my care, so that I have the information I need to make the best decisions for me, my pregnancy and my infant’s future health; secondly, the right to be seen by staff who have the appropriate level of knowledge and skills to assess and care for me; thirdly, the right to preconception and pregnancy advice and care if I have a pre-existing mental health condition; fourthly, the right to access expert advice and care about my maternal mental health when I require it, wherever I live in Scotland; fifthly, the right to have priority access to talking therapies during my pregnancy and post-natal period; sixthly, the right to be admitted jointly with my infant if I need in-patient mental health care; seventhly, the right to discuss my mental health without fear of stigma or being judged; eighthly, the right for my family to have the information they need to help me and to get help for themselves; and ninthly, the right for my baby to have parents who are supported with their mental health. All these are very good points, which are the bedrock of what we should see in a mental health service for women and infants.

I cannot end my speech without mentioning my role as chair of the all-party parliamentary group on infant feeding and inequalities. The discussion in this country about breast feeding versus bottle feeding has become increasingly divisive. I do not want to venture into it, but a cause of many issues is the pressure on women to have the perfect, glowing, spotless, white-bloused-in-a-perfect-home version of breastfeeding, but that is unrealistic. Providing support for women’s breastfeeding goals is absolutely crucial. If women want to do it but are set up to fail, that can have a serious negative impact. The positive impact of the oxytocin, the bonding and the skin-to-skin contact can be crucial in helping women and children through what can be a very difficult period.

Women on antidepressants are given the often erroneous advice that they should stop breastfeeding. Some 15% of enquiries to the Breastfeeding Network drugs in breastmilk helpline, run by the amazing Wendy Jones, are about that very issue. Evidence demonstrates that giving up breastfeeding is not necessary in many cases, and that if a mum stops breastfeeding before she is ready, that can have a further negative effect on her mental health. I encourage the Minister to look at the drugs in breastmilk helpline and perhaps find some funding for that voluntary service, because GPs and pharmacists often rely on it to give advice to women.

The key to all of this is support for women in how they decide to feed their baby and in the choices they make in life. There is a real postcode lottery. I encourage the Minister to examine this further and to speak to the UNICEF UK Baby Friendly Initiative, which has been cataloguing come of the cuts.

In Glasgow, support also comes from the community, in the shape of groups such as Glasgow South PANDAS, run by Lauren Tonner. The group meets regularly and allows parents to talk about their concerns. As we have heard, it can be difficult to open up, but NCT research shows that opening up and seeking help generally leads to much better outcomes. I encourage those experiencing challenges to find a way to take the first step towards accessing support. It is important to state and restate that new parents and expectant parents face?

Alison Thewliss: Absolutely. I visited a children’s centre in Blackpool and spoke to people involved with the Breastfeeding Network, and they said they had seen the beer support service cut suddenly. That was crucial, because it was doing the job that the community services and health visitors did not have time to do. It was providing early intervention and support with mental health issues and all the other things that mothers need. I understand that the hon. Lady is very committed to this issue. Early intervention services are absolutely crucial. Children’s centres—somewhere that women can go—are so important, because going to them is an easy first step for women to take. They are not scary; they are accessible and are right on the doorstep—or they certainly should be.

The Breastfeeding Network cites evidence that breastfeeding can have a preventive effect when it comes to mental illness. It said:

“A large scale research study published in 2014 showed that mothers who planned to breastfeed and who actually went on to breastfeed were over 50% less likely to become depressed than mothers who had not planned to, and who did not, breastfeed. Mothers who planned to breastfeed but who did not go on to breastfeed were over twice as likely to become depressed as mothers who had not planned, and who did not breastfeed.”

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op):

The hon. Member for Stockton South mentioned the perfect baby ads that we see and the idealised images of motherhood. We put pressure on mothers all the time without necessarily supporting them with being a mother and with the learned skill of breastfeeding. By not providing that support, we set women up to fail. Many carry that very personal pain around for a long time. It should not be that way.

The hon. Member for Stockton South also mentioned the perinatal mental illness issue. It is a very important one, and we should do all we can to ensure that mothers who need help get it. I am not sure that we do all we can to ensure that women understand that. Handing them leaflets is not good enough; there must be support and talking therapy.

My wider concern is that we are not supporting women enough anymore. When they go into hospital to give birth, they have to leave very quickly. Community services are often not there, and families are more
described some of those experiences. One mother said:

Another said:

“I’m currently into my second pregnancy and think I am suffering from depression… I feel scared and feel like I have trouble bonding with this pregnancy…I don’t know what is wrong with me.”

We know that one in five women will experience mental health problems during pregnancy. Given the high prevalence of mental health issues in new and expectant mothers, the woman I just quoted should not have had to feel like something was wrong with her. We have heard many excellent examples in the same vein in this debate. One way to prevent women from feeling isolated or somehow to blame is by identifying those mental health issues and ensuring the proper support is put in place. Unfortunately, as hon. Members said, too often that does not happen.

Hon. Members rightly highlighted that identification is a major barrier to accessing support for mental health issues. I join in congratulating the National Childbirth Trust on its #HiddenHalf campaign. The research underpinning that campaign shows that nearly half of all the mental health problems that new mothers experience are not picked up by health professionals.

As we have heard, early intervention is key. The sooner issues are identified, the quicker people can access appropriate support, and that surely drives better outcomes. It is simply not good enough that only half of perinatal mental health issues are picked up. As my hon. Friend the Member for Stockton South detailed, GPs should offer a post-natal check about six weeks after the baby’s birth. We have heard that a properly delivered check-up can have a transformative effect on new mothers who are experiencing mental health problems. Research by the National Childbirth Trust found that women directly questioned by a GP about their mental health were almost seven times more likely to disclose a mental health problem. If mental health problems are left untreated, they can escalate into much more severe mental illness.

The National Childbirth Trust also found that 95% of women who had experienced a mental health problem felt it affected their ability to cope or look after their children or family relationships. As we have heard, the six-week post-natal baby check is mandatory, but the maternal check was left out of the GP contract. As a result, the maternal check is often not done at all or becomes a rushed conversation at the end of the baby check. In one third of cases, the maternal check was estimated to last three minutes or less.

The National Childbirth Trust also recommends that the Government fund the six-week maternal post-natal check so that GPs have the time to give every new mother a full appointment for the maternal check. As we have heard, the National Childbirth Trust also recommends an improvement in the guidelines for best practice around maternal mental health, including a separate appointment for that maternal six-week check, and they recommend better methods of encouraging disclosure of maternal mental health problems.

I have looked at the NHS England guidance, which states:

“There are no set guidelines for what a postnatal check for mothers should involve.”

It also states:

“The following is usually offered, though this may vary according to where you live... You will be asked how you are feeling as part of a general discussion about your mental health and wellbeing.”

We can and must do better than that.
I have already mentioned the pressure on women to feel happy after the birth of a child and how mental health issues can lead to their feeling that there is something wrong with them. It can often lead to women putting on a brave face. One woman, responding to the Boots Family Trust survey, said:

“I was terrified to admit to any health professional as I was scared they would take my son away.”

That is exactly the point made by the hon. Member for Glasgow Central and it demonstrates the challenges that GPs face in identifying mental health issues. Merely asking how a new mother is feeling is no substitute for a properly trained staff member identifying mental health issues and knowing how to encourage disclosure.

The National Childbirth Trust recommends that NHS bodies should support and invest in initiatives to facilitate and further develop GP education on maternal mental health. Earlier, my hon. Friend the Member for West Ham touched on the fact that investment in perinatal mental health would result in savings. It is worth thinking about how much that might be.

The statement from the Royal College of General Practitioners about perinatal mental health said that post-natal depression, anxiety and psychosis carry an estimated total long-term cost to society of about £8.1 billion for each one-year cohort of births in the UK, and 72% of the cost relates to adverse impacts on the child. That reinforces the very important points that my hon. Friend the Member for Stockton South made earlier. More than a fifth of those total costs—£1.7 billion—are borne by the public sector: mainly NHS and social care. I hope that that all helps to give the Minister ammunition. Sadly, the average cost to society of one case of perinatal depression is estimated to be £74,000: £23,000 relates to the mother and £51,000 to the impact on the child. There is every reason to try to make the case being made in the debate today.

We must make sure that, where a diagnosis has been made, appropriate treatment and support is made available. According to the Maternal Mental Health Alliance, a quarter of pregnant women and new mothers cannot access specialist perinatal mental health services that meet the full National Institute for Health and Care Excellence guidelines. Only 7% of the women who reported experiencing a maternal mental health condition were referred to specialist care. It took more than four weeks for the 38% of the women who were referred to be seen. Shockingly—we have heard several examples—some women waited up to a year for treatment. My hon. Friend the Member for Canterbury talked about such an example. In fact, it was recently revealed that there were only 131 specialist perinatal beds in the whole of the UK, with none in Northern Ireland or Wales.

We know that pressure on mental health trusts comes from money earmarked for mental health services being used to pay for other areas of the NHS. The Labour party would ring-fence mental health spending so that the funding that is meant to be for mental health services does not go to other priorities in the NHS.

The Government have made some commitments on perinatal mental health, and I am keen to hear from the Minister, if we have time, what progress has been made. The five-year forward view for mental health set a target to ensure that by 2021 at least 30,000 more women each year would be able to access specialist mental health care during the perinatal period. Given that we are now halfway through that phase of the five-year forward view for mental health, can the Minister tell the House what progress has been made towards that target and whether NHS England is on track to meet it?

In autumn 2017, at the maternal mental health ministerial roundtable, a number of commitments were made to improve perinatal mental health services. They included a commitment that the Department of Health would work with health system partners and other Government Departments to deliver improvements in perinatal mental health services, and a commitment that NHS England would expand specialist mental health services by 2021 to meet the needs of women in all areas. We have heard, as we hear in so many debates on health and social care, about very unfortunate postcode lotteries, so how is NHS England doing in expanding those specialist services to meet the needs of all women?

Luciana Berger: My hon. Friend is making a strong case, as have other colleagues, about the inconsistency of the availability of perinatal mental health services. Although there has been some investment, there are still many areas where there is no sufficient, adequate or indeed any immediate access, and mothers still have to travel too far across the country to access a bed if they need one in a mother and baby unit. Does she share the concern expressed by the British Medical Association that there is a 20% difference in referral rates in some areas, which illustrates the inconsistency of care? When the issue is so critical not only for the mother but for the child in its lifetime, that is something that the Government should urgently address.

Barbara Keeley: I absolutely agree with my hon. Friend. It is very important that the Minister tells us now or after the debate what is happening to expand the services so that we do not have what are almost deserts, where women have to travel either to get a bed or to get the service that they need.

Finally, there was a commitment in autumn 2017 that NHS Health Education England would support the roll-out of GP perinatal mental health champions across England. I am sure it would help if there was in every area a perinatal mental health champion speaking up for their own area. Will the Minister tell the House what progress has been made on these important commitments?

I want to conclude on a wider point about women’s mental health. Women are more likely to suffer from mental ill-health than men, and yet too often women’s specific mental health needs remain a blind spot. Research by Agenda, the women’s mental health charity, has shown that mental health trusts are too often failing to consider women’s specific needs. Only one of the 35 trusts that responded to a freedom of information request by Agenda had a strategy on gender-specific mental health services.
Fourteen years ago, the Labour Government launched a comprehensive women’s mental health strategy to address the specific mental health needs of women. Sadly, that strategy was ditched by the coalition Government, and women’s mental health has since slipped down the policy agenda. The Mental Health Foundation has described it as being “almost invisible” in Government policy.

We have had an excellent debate today in which many useful examples have been given and many good points made. There is a strong feeling that we want to help the Minister do something about this issue. Will she in future match Labour’s commitment to have a national women’s health strategy that would work to deliver the targeted support that women and girls need?

3.18 pm
The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): It is good to see you in the Chair, Mr Rosindell. The debate has been excellent. I have enjoyed listening to all the speeches, which, without exception, have been thoughtful, constructive, and, in the case of people who have been through motherhood, very honest and gritty about the reality of the situation that we face. I pay tribute to the hon. Member for Stockton South (Dr Williams) for making as articulate a speech as possible on the issue. It covered the whole breadth of subjects that we need to consider. It was a real pleasure to listen to him. I will say the same about my hon. Friend the Member for South West Bedfordshire (Andrew Selous). I am pleased to see two men leading the charge on this subject. It is an important message that this is not a woman’s problem; it is a problem for society and for families. Ultimately, if we do not tackle it, society picks up the tab. It is great that two male Members of the House are leading the charge.

Many themes have come up in the debate, and I will try to address them all. I will begin by tackling the issue of the first 1,001 days. A number of hon. Members present are members of the all-party parliamentary group for the prevention of adverse childhood experiences. We recognise that the period from conception to age two is vital for every child’s development, and that is why we are prioritising and focusing on ensuring that there is sufficient perinatal mental health support at that stage. On the wider issue of adverse childhood experiences, the hon. Member for Stockton South mentioned that having four of them makes someone more likely to end up in prison. This is about the best kind of early intervention—for me, that is a no-brainer. We can identify those young people or children who are at most risk of falling out of society. Therefore, we should look at how best we can intervene early to support them.

Luciana Berger: I am delighted to hear the points the Minister has made about the importance of the first 1,001 days and the nought-to-two agenda. On that basis, might we expect the Government to respond to their Green Paper consultation on young people’s mental health by putting in place measures to support and help under-fives?

Jackie Doyle-Price: As I have often said, the real focus of the Green Paper is on schools and measures that we are taking with the Department for Education. However, the hon. Lady and others will be aware that we have committed to extra funding for the NHS and we are working with NHS England on what we can all expect with that extra funding. I am open to representations as we develop that 10-year plan as to what else we can do in this space. As we are in discussions with NHS England, I cannot make any commitments but this is exactly the time when we should rigorously be testing policy suggestions and interventions that we might be able to deliver.

Dr Paul Williams: It was reported in the Health Service Journal two days ago that the chief executive of the NHS, Simon Stevens, has outlined five priorities for the 10-year plan and that one is reducing health inequalities. Does the Minister think that a serious focus on reducing health inequalities—particularly those that are embedded from the beginning of life—should be a focus for the 10-year plan?

Jackie Doyle-Price: The hon. Gentleman earlier used the phrase “spend to save”, so the answer is yes, because obviously if we make interventions earlier and they help people to help themselves, there is a long-term saving to the NHS. That is the exact spirit in which we are entering the 10-year plan for the NHS. I look forward to hearing suggestions from the APPG—get in touch with us soon.

I thank everyone who has contributed to the debate and hope that we can go forward with the shared objective of doing the best we can for new mothers. By that I mean not only improving services, but giving support in general to women who are going through the experience of motherhood. As many Members have said, we are offered a fairy tale fantasy about how everything is perfect and wonderful, when actually there is a lot of associated vomit, pain and misery—joyful as the experience is overall. We need to tackle the taboo, because the fact that we think that everything is a perfect fairy tale means that the pressure on those women who are struggling makes them feel like failures. They are not: it is all entirely normal.

I am always struck by the fact that one in three women suffers from incontinence. People do not know about it, because everyone suffers in silence and just gets on with it. I often ask, “How would it be if one in three men suffered from incontinence?” We would hear about that a lot more. We need to be generally more open and give women the message: “Do you know what? It is normal to feel you are struggling, and feel miserable, because you have gone through a life-changing experience and a physical trauma. It is inevitable that it will affect your mental health.” Giving them the message that it is normal is half the battle, because they will realise that they are not a failure but just need to manage and work through the situation. We need the right services in place to help them.

Andrew Selous: Is the Minister aware of the Best Beginnings “Baby Buddy” app, which has videos of parents sharing their experiences to help reduce the isolation some parents feel? It encourages women to take the time to look after themselves and their relationships,
if they are with a partner. Does she agree that that is practical? It is free and lottery funded. It is not making a profit, as far as I am aware. I think it is run by a charity. Things like that can be helpful to mothers who might otherwise be quite isolated.

Jackie Doyle-Price: That sounds like a good resource, not least because it means women can get access to help in a more anonymous, less threatening way. We need sufficient tools to be available for women— and families, for that matter.

We have heard constantly throughout the debate that women are not always asked about their mental health in GP health checks. For that matter, they are not always asked about their physical health either; it is all about the baby. One of the challenges we have in improving the way in which we deliver health comes from the fact that an NHS practitioner faced with a patient will focus on the immediate problem and not the patient’s holistic needs. There is a need to consider mother and baby together. A baby cannot be looked at in isolation. The role of the mother, and the relationship with the mother, is part of the child’s welfare. We need to spread better practice in that regard.

Andrew Selous: I agree very much about looking at the mother as well as the baby, but does the Minister agree that, where there is a relationship with a partner, dad must not be left out, and that working on the couple’s relationship is a key matter, given that mums probably look to their children’s parent more than anyone else for emotional and practical support?

Jackie Doyle-Price: I thank my hon. Friend for being my conscience—we absolutely must not forget dad or partner, or for that matter the wider family. Members have expressed concern about the declining number of health visitors, and the beauty of having a health visitor is exactly the fact that they develop a relationship with the family and can talk to dad as well. Quite often, dad feels excluded from the process.

Wera Hobhouse: Valuable and important as that exchange is, the point about the #HiddenHalf campaign is that often attention is diverted away, because the baby and the dad are there. #HiddenHalf is looking for quality time for the mother in particular. I want that space to be preserved, however much is done by the GP. It is important that a woman who has gone through the trauma that the Minister described is able to feel, “Someone is just looking after me.” It is important to recognise that.

Jackie Doyle-Price: I agree and do not think the two points are in conflict. We need both—we need the wider package of support.

The theme we have been considering—of women not always being asked about themselves, and its being all about the baby—is not confined to the issue of perinatal mental health. Women face that across the board with respect to their health. The hon. Member for Worsley and Eccles South (Barbara Keeley) spoke about a women’s health strategy and women’s mental health. I co-chair a women’s mental health taskforce with the chair of Agenda, and in the coming weeks we will present our report on a year-long piece of work. It will have information about tools to enable the health service in general better to support women’s mental health. I am also doing more to raise the whole issue of women’s mental health, because I feel strongly that women are often disempowered in health settings. We need to give them the tools to take control of their own care and to feel empowered to engage in good conversations with medical professionals, to benefit their health.

We have heard anecdotal accounts of women’s experiences, and what has come across is the arrogant behaviour of some medical professionals. They see a large number of patients and they are not always sensitive to how best to communicate with certain individuals. We need that practitioner-patient relationship to work a lot better, particularly in the case of women. I am open to representations from everybody about what tool we can use.

The hon. Member for West Ham (Lyn Brown) is no longer in her place, but I have been impressed by her work on hysteroscopies with women. We are developing tools on that. I reassure all Members that women’s health and the way in which the national health service can better serve women are high on my agenda. I am not going to stand here and say that the world is perfect, but we have made perinatal mental health a priority in the five year forward view. We are midway through that review, so I should give Members an account of how far we have got and what more needs to be done.

To go back to 2010, the situation was really quite poor. Only 15% of localities had fully fledged specialist services in the community, and 40% of communities provided absolutely no service at all. People talked about a postcode lottery; clearly, we could not allow that to continue. We need to work towards universal provision. We are implementing the recommendations of the five year forward view for mental health taskforce, which reported in 2016. From 2015 to 2021, we are investing £365 million into perinatal mental health services. NHS England is leading a transformation programme to ensure that, by 2021, at least 30,000 more women each year are able to access specialist mental healthcare during the perinatal period. In May, NHS England confirmed that, by April next year, new and expectant mums will be able to access specialist perinatal mental health community services in every part of the country. We are making progress. The key to that is community provision.

Barbara Keeley: I asked the Minister a specific question: we are halfway towards the deadline for the 30,000 target—does she know how that target is going? Has there been an improvement of 15,000?

Jackie Doyle-Price: I will write to the hon. Lady with some detail on the figures, but the point is that the access is there. Obviously, it will take time to become embedded. We have a good direction of travel to deliver against that commitment and we will continue with that. Community-based provision is key, but we also need to ensure that there are sufficient specialist perinatal mental health beds in mother and baby units for particularly severe cases. NHS England has taken a more strategic approach to commissioning, so that there is a level of access that does not involve wide-scale moving out of area.

As ever with transformation programmes, change takes time, but we are on track to meet our commitments. We are investing £63.5 million this financial year to
support the development of those specialist perinatal mental health community services across England. Our pace of change is to enable 2,000 more women to access specialist care. Last year that was exceeded, so we should maintain the pace that we planned in the five-year forward view.

I have visited one of the new in-patient mother and baby units in Chelmsford, where there are four new beds. That centre is expanding its capacity. As well as opening new centres, we are expanding the capacity of existing ones to give more support. In Devon, the trust opened a four-bed mother and baby unit in a reused space in April this year while the new unit is being built, so we still have that provision even though there is not the physical space. By the end of this financial year, we will have expanded the capacity of those beds by 49% since 2015 and there should be more than 150 beds available for mothers and babies in those units.

We are also expanding psychological therapy services, which successfully treat many women who experience common mental health conditions such as depression and anxiety disorders during the perinatal period. We have set an ambition for at least 25% of people with common mental health conditions to access services each year by 2020-21, including extending provision to ensure swifter access for new and expectant mothers. However, as we have heard today, getting perinatal mental healthcare right is not just about expanding specialist services in isolation. Many professionals in different parts of the health and care system are well placed to support women in the perinatal period. NHS England is working with partners to ensure that care for women is integrated and joined up effectively. More than £1 million was provided in 2017 to enable the training of primary care, maternity and mental health staff, to increase perinatal mental health awareness and skills.

NHS England has also invested in multidisciplinary perinatal mental health clinical networks, which will include GPs across the country to support that strategic planning, working across services to ensure that those wider services are in place. The role of GPs is central in identifying when someone is suffering from perinatal mental illness, and to ensure that those women are directed towards treatment. The role includes monitoring early-onset conditions, including pre-conception counselling, referring women to specialist mental health services, including access to psychological therapies, and specialist perinatal community teams where necessary.

I am aware of the NCT’s #HiddenHalf campaign; I am grateful for its campaigning on this important issue. The National Institute for Health and Care Excellence recommends post-natal checks for mothers and new-born babies. NHS England expects commissioners and providers of maternity care to pay due regard to the NICE guidelines. My hon. Friend the Member for South West Bedfordshire referred to a maternity additional service that only four general practices have opted out of. Is the Minister aware of what period of time that additional service covers?

Jackie Doyle-Price: I will come back to the hon. Gentleman, but this area requires further exploration because we need to be clear about how we deliver on those things.

Dr Williams: I will gladly tell the Minister: the period of time covers pregnancy but ends 14 days after birth. Whereas it may be very appropriate for a GP to provide care during that time, the additional service that the hon. Member for South West Bedfordshire referred to ends 14 days after birth. We are talking about a different issue: the opportunity to do a check six weeks after birth. There is no commissioning of that check at the moment. It is helpful that the Minister says that she expects commissioners to commission that check, but is that a commitment from the Government to ensure that commissioners are funded to be able to commission that six-week check?

Jackie Doyle-Price: I was coming to that—I was just dealing with the point made by my hon. Friend the Member for South West Bedfordshire.

Moving on from the NICE guidelines, we clearly expect GPs to do their part in identifying and supporting women. We are aware of the campaign, but any changes to GP contracting arrangements to specifically include the six-week check-up would need to be negotiated with the GP committee of the British Medical Association. Those negotiations are taking place and will be completed by September. I cannot give any firmer commitment than that, other than to say that we obviously want to see GPs make their contribution.

Barbara Keeley: I just want to reiterate what I said earlier: the Opposition support that campaign and would look at implementing it in government. I outlined that the NCT put a cost of £20 million on it. Clearly, the Minister could have that figure checked out, but it is balanced against the £1.2 billion extra cost to the NHS and social care of perinatal mental health problems in every one-year birth cohort. There really is a point here about investing to save further down the road.

Jackie Doyle-Price: I thank the hon. Lady for that. As she says, if we are talking about £20 million in a broader settlement, that clearly should be under consideration given the outcomes that could be achieved on the basis of the evidence we have seen. I am not negotiating the contract, but we will have the outcome of those negotiations in the not-too-distant future. Members on both sides of the Chamber expressed very clearly the view that they want GPs to be able to do more to support new mothers. That message has been well noted, and I thank Members for making it. They said they wished to give me as much as assistance as they could in my battles on these things, and they certainly made a very strong case.
I want to come back to health visitors. I am a firm believer that health visitors are uniquely placed to identify mothers who are at risk of suffering, or are suffering, perinatal mental health problems and to ensure they get the early support they need. In fact, I visited the Institute of Health Visiting only a couple of weeks ago and heard a moving story from a new mum who had gone through a mental health crisis. It is striking that she had experienced all the feelings we have talked about—she felt there was something wrong with her, she could not bond with her baby, and she got more and more depressed and withdrawn about it. The other interesting thing about that case was that it was dad who felt utterly powerless to do anything. Only their relationship with their health visitor enabled them both to reach out for help.

I am under no illusions about the importance of health visitors. I was privileged to meet so many fantastic advocates for them as part of the NHS’s 70th birthday. They are our eyes and ears in so many ways, and they are our intelligence network in tackling adverse childhood events. I am full of praise for the important job they do in supporting new parents and families through a child’s early years. I am really pleased about the success of the Institute of Health Visiting perinatal and infant mental health champions training programme. Those 570 champions play a crucial role in spreading good practice and early identification of mental health problems.

Some hon. Members raised concerns about the decline in the number of health visitors. There was a substantial increase in the run-up to 2015, and there has been a fall since. I am bothered about that, so I will look at how we can encourage local authorities to alter that situation, recognising that in some areas local leaders have realised that health visitors can do so much more to deliver better outcomes for their communities. Blackpool, for example, has substantially increased the number of visits. I am really looking forward to seeing the outcome of that work, so that we can encourage that good practice in other local authorities.

I reiterate my thanks to all Members for their thoughtful comments and questions, but I especially thank the hon. Member for Stockton South and my hon. Friend the Member for South West Bedfordshire for securing the debate. I am very proud of our direction of travel in delivering and transforming perinatal mental health services so that we ensure that more expectant and new mothers are able to access high-quality mental health support, but we should never be complacent about that. I look forward to continuing the transformation programme.

3.45 pm

Dr Paul Williams: I thank all the Members who stayed here to contribute to the debate. I also thank the organisations—particularly the National Childbirth Trust—that contributed to filling our minds with useful information. I am proud to have brought this issue to Parliament as a man. As many Members said, this is not a women’s issue—it affects us all, and it needs to be taken really seriously. As the hon. Member for South West Bedfordshire (Andrew Selous) said, it is everyone’s business.

We have discussed a very vulnerable time in a woman’s life—the time when she is most likely to develop a mental health problem. We heard about the impact of such problems on a woman, her family and particularly her child. It is heartening to hear that the Government are listening, and I hope that that continues to manifest itself in action—particularly on the GP contract negotiations, but also on the many other things that could be done to improve the lives of these women, their families and their children.

Question put and agreed to.

Resolved.

That this House has considered perinatal mental illness.

3.46 pm

Sitting adjourned.
Westminster Hall

Tuesday 24 July 2018

[James Gray in the Chair]

Office for Budget Responsibility

9.30 am

Luke Graham (Ochil and South Perthshire) (Con): I beg to move,

That this House has considered the remit of the Office for Budget Responsibility.

It is always a pleasure to speak under your guidance, Mr Gray. I thank those who have turned up on the last day of Parliament before recess; I know that we are all keen to get back to our constituencies, but the opportunity to debate the remit of the Office for Budget Responsibility was evidently too good to turn down. Before I begin, I would like to acknowledge the OBR, the Congressional Budget Office and the CPB in the Netherlands, as well as the House of Commons Library, as the key sources of my speech.

Credibility has become an enormous problem in modern-day politics—the credibility of not only individual politicians but policies and the numbers in our political discourse. The old adage rings true: Members often use numbers as a drunk man would use a lamp post—as a prop, as opposed to for illumination. We need to get back to numbers helping to illuminate our debate. They should help to inform decision making to bring a degree of objectivity to our debate—in this Chamber and the main Chamber.

I will start by looking in depth at the OBR’s current powers, in order that Members better understand why I believe we should expand its remit. First, I want to provide a brief overview of what the OBR currently does. The OBR was created by the coalition Government in 2010 to provide independent, authoritative analysis of the UK’s public finances, on the back of the 2008 financial crash. It has five main roles, and I will look at each of them, starting with economic and fiscal forecasting.

Twice every year—for the Budget and for the spring statement—the OBR produces five-year forecasts of the economy and the public finances. Forecast details are set out in the “Economic and fiscal outlook”, while the annual “Forecast evaluation report” it publishes each autumn compares the forecasts to the subsequent out-turns and draws lessons for future forecasts. The forecasts also incorporate the impact of any tax and spending measures announced in the two statements by the Chancellor.

The OBR also has a responsibility to evaluate the Government’s performance against targets, using the public finance forecast to judge the Government’s performance against their fiscal and welfare spending targets. Furthermore, in the “Economic and fiscal outlook”, the OBR assesses whether there is a greater than 50% chance of hitting the targets under the current policy measures.

For example, in March 2014, the Government set a self-imposed cash limit on a subset of their social security and tax credit spending. In the 2016 autumn statement, the Government redefined the cap to apply only in 2021-22, preceded by a pathway to that fixed date. The charter for budget responsibility requires that the Government set a new welfare cap in the first Budget of a new Parliament, so the cap was adjusted in the 2017 autumn statement, which applied to 2022-23. It is the OBR’s responsibility to monitor the Government’s progress against that pathway and to assess in each “Economic and fiscal outlook” report whether they are on course to meet the cap in the target year.

The OBR’s annual “Welfare trends report” also examines the drivers of welfare spending, including elements inside and outside the cap. Those represent just some examples of how the OBR continues to monitor and evaluate the Government’s performance against their own targets.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on bringing this matter to Westminster Hall for consideration. Does he agree that the OBR’s team has withstood internal and external scrutiny and audits extremely well? There is certainly scope to expand its remit, to deliver a high level of accountability across the wider region. In other words, what the OBR does now could go further. Does the hon. Gentleman agree?

Luke Graham: I agree, and I will go into more detail later on exactly how I propose the powers should be extended and how to move forward.

The OBR provides sustainability and balance sheet analysis, which assesses the long-term sustainability of the public finances. The OBR’s “Fiscal sustainability report” sets out long-term projections for different categories of spending, revenue and financial transactions, and assesses whether they imply a sustainable path for public sector debt. That has arguably been a particularly important metric as we have sought to make the public finances more manageable and sustainable after the financial crash in 2008. There was a kick there aimed at the last Labour Government, but I will resist that for now.

The “Fiscal sustainability report” also analyses the public sector’s balance sheet, using both conventional national accounts measures and the whole of Government accounts, prepared using commercial accounting principles. Since 2016, the “Fiscal sustainability report” has been published once every two years, reflecting the frequency with which the Office for National Statistics updates its population projections.

The OBR evaluates fiscal risks every two years by publishing a comprehensive review of the risks from the economy and financial system in its “Fiscal risks report”. The first was published in July 2017, and the OBR analysed tax revenues, public spending and the balance sheet and included a fiscal stress test. Furthermore, the OBR produces central forecasts and projections for the public finances, while the “Economic and fiscal outlook” and the “Fiscal sustainability report” include discussion of the risks—both upside and downside—to those forecasts and projections.

The whole of Government accounts provide further information on specific fiscal risks, notably contingent liabilities such as Government guarantees, and that is in the “Fiscal sustainability report”. As a member of the Public Accounts Committee, I have the joy of taking part in, and leading on, the inquiry into the whole of Government accounts. The Committee recognised the
John Howell (Henley) (Con): One recent OBR report is about probably the biggest challenge that we as a country face—our ageing population and the associated social and healthcare risks. I found that report very useful. Does my hon. Friend think that such activity is a good use of the OBR?

Luke Graham: I do. That kind of objective analysis from the OBR could help to inform and shape some of our public debate. It could certainly make sure that policy debates in the House are informed by substantive, objective figures that would hopefully have cross-party support.

Finally, the OBR is responsible for scrutinising the Government’s tax and welfare policy costings, which it does at each Budget. The Government provide draft costings in the run-up to each statement, which are subjected to detailed scrutiny and challenge. The OBR also states in each “Economic and fiscal outlook” report and in the “Policy costings” document whether it endorses the Government’s published costings as reasonable central estimates and whether it would use them in its forecast. It also gives each costing an uncertainty rating, based on the data underpinning it, the complexity of the modelling involved and the possible behavioural impact of the policy.

Those five major roles all focus on the UK-wide public finances. However, the Government have also asked the OBR to forecast the receipts from taxes that they have devolved—or intend to devolve—to the devolved Administrations. It is therefore clear that the OBR already has an extensive remit, with a great deal of responsibilities, not only to deliver information to the Government, but to ensure accuracy so that that information is reliable enough that the Government can make acceptable fiscal decisions.

On the earlier point about the OBR’s performance, it has forecast, on average, within 0.3% accuracy of actual economic growth over the past seven years. While the exact accuracy in any given year has of course varied, the OBR has, to its credit, sustained an accurate reporting standard over a significant period of time. If anything, it has slightly underestimated economic growth in its predictions, showing a propensity for conservative estimates, which does it much credit. Indeed, the one outlier in its predictions is from 2013. For that year, it predicted a slowing of growth, but, in fact, thanks to the Conservative-led coalition Government’s policies, we experienced a 2.1% growth rate. It is worth noting that, without that outlier, the OBR has achieved accuracy to 0.1% in its predictions. That is a sound endorsement of its expertise.

Why do I believe that we should extend the OBR’s powers? First, it is worth remembering that independent budgetary offices are well established and well respected in other countries. In the Netherlands, the Bureau for Economy Policy Analysis, the CPB, has been in place since 1945. It is fully independent; it has its own legal mandate and an independent executive and advisory committee. Research is carried out on the CPB’s own initiative or at the request of the Government, Parliament, individual Members of Parliament, national trade unions or employers’ federations. It analyses the effects of current and future Government policies, and it is responsible for producing quarterly economic forecasts, as well as a spring forecast and a macroeconomic outlook, which is published alongside that country’s Budget in September. Taken as a whole, these forecasts provide a basis for extended socioeconomic decision making in the Netherlands.

The CPB analyses policy proposals, but also evaluates the effects of policy measures that have already been implemented. Since the early 1950s, the bureau has been analysing the costs and benefits of large infrastructure projects. It also conducts research in a wide range of areas, including, but not exclusively, the economic effects of ageing, globalisation, healthcare, education, the financial crisis and the regulation of markets.

Since 1986, the CPB has offered political parties an analysis of the economic effects of the policy proposals in their election manifestos. The plans of the participating parties are analysed identically, which offers voters a comprehensive tool for comparison of the parties and contributes to the transparency of the election process.

However, it was during a visit by the Public Accounts Committee to our American counterparts earlier this year that the idea of expanding the OBR’s remit came to me. During the visit, we learned about the Congressional Budget Office—similar independent fiscal advisory organisation—based in Congress, in Washington DC. The CBO was created by the Congressional Budget and Impoundment Control Act 1974 as a non-partisan agency that produces independent analysis of budgetary and economic issues to support the congressional budget process. Interestingly, the CBO was based on the Californian Legislative Analyst’s Office, which manages the state budget in a non-partisan manner. To this day, the CBO provides analysis for state and local government where congressional committees report on legislation that applies to those levels of government.

The CBO’s mission is to help Congress to make effective budget and economic policy. The CBO discharges a number of key responsibilities, and I want to examine a few of them in greater depth. First, in broad practical terms, each year the agency’s economists and budget analysts produce reports and hundreds of cost estimates for proposed legislation. The CBO does not make policy recommendations; its reports and other instruments, which summarise the methodology underlying the analysis, help to inform policy decisions and the debates that subsequently take place in Congress.

If we look a little deeper into that, we see that among the CBO’s statutory requirements is the production of certain reports, the best known of which is the annual “Budget and Economic Outlook”. That report includes the CBO’s baseline budgetary and economic projections. The CBO is also required by law to produce a formal cost estimate for nearly every Bill approved by a full committee of either the House of Representatives or the Senate. Those cost estimates are only advisory. They can, but do not have to, be used to enforce budgetary rules or target the CBO does not enforce such budgetary rules, although its work informs them; the budget committees enforce the rules. The power still lies with the politicians, but they are making much more informed choices.

It is important to remember that it is Congress that sets the CBO’s priorities; it is not the President, either of the major political parties or the CBO itself. However,
I understand from conversations with counterparts in the United States that the CBO has become more open to the majority and minority leadership—both sides—in the House of Representatives and the Senate putting forward proposals to or making requests of the CBO. The CBO follows processes specified in statute or developed by the agency in concert with the budget committees and the congressional leadership. The CBO’s chief responsibility under what is known as the Budget Act is to help the budget committees with the matters under their jurisdiction.

For the CBO to be able to provide analysis to the breadth of recipients described, its analysis must be objective, impartial and non-partisan. The CBO achieves that by refusing to make any policy recommendations and by hiring people on the basis of their expertise and without regard to political affiliation. Analysts are required to conduct objective analysis, regardless of their own personal views. Strict rules to prevent employees from having financial conflicts of interest and to limit their political activities are enforced. That is in line with the requirements for our own civil service.

Importantly, the reports by the CBO are designed to reflect the full range of experts’ views, as it is required to present the likely consequences of proposals being considered by Congress. By their nature, the estimates are uncertain, but the estimates provided are in the middle of the distribution of potential outcomes. The CBO also undertakes a range of dynamic modelling. It will look not just at the impact of one policy and assume ceteris paribus that the rest of the world is held constant; it will also look at the impact that that one variable will have on other policies, to provide a more complete scenario forecast and recommendations to the various committees.

Kirsty Blackman (Aberdeen North) (SNP): The hon. Gentleman is making a very interesting speech. When the Government here announce that they will put in place a particular measure—a tax relief, for example—and that it will raise such and such revenue or cost such and such, I am concerned that that number is not then properly checked to prove whether the measure did or did not. Does the CBO check policies afterwards to work out whether its forecasting was accurate?

Luke Graham: I thank the hon. Lady for her question. I believe that the CBO does do that and I will certainly come back to her on that point. When we were looking at some of the benefits, tracking after legislation was also, I believe, in the remit of the CBO, but I am more than happy to write to the hon. Lady to confirm that. I agree that what she refers to is incredibly important. Just in the year that I have been in the House, I have seen the pace at which Westminster moves. Policies flare up in the House of Commons; there is an enormous amount of press and focus on them; and two months later, they are almost entirely forgotten. Having some recourse is essential. Of course, that does exist through the Public Accounts Committee—and, in America, through the similar budget review committees. That is usually where the costs and benefits analysis to check whether policies have worked takes place, so this may be one less task for the CBO. It could certainly help to provide some of the analysis, but that task would probably fall more within the remit, certainly in the United Kingdom, of the National Audit Office, as opposed to an extended OBR, so that we keep the division of labour.

Jim Shannon: I thank the hon. Gentleman for the very detailed, comprehensive speech that he is making. He has outlined clearly the issues in relation to this organisation; I just wonder whether he has given any thought to the idea that teamwork makes the dream work. Does he agree that there is a need to ensure that there is constant training of team members, so that the natural ingoing and outgoing nature of the job that they do does not affect the high standard of work being provided by the office? In other words, it is important that the staff are trained and kept up to date with all things that are happening in order for a good organisation to work better.

Luke Graham: I do agree. As I have mentioned, a hallmark of the CBO is the high standard of staff it employs. That is based on their expertise and ensuring that the right people are hired for the right role and that training is maintained in the office as well, so that expertise is not lost with standard staff turnover.

Furthermore, the CBO evolves as the needs of Congress evolve. It has remained true to its original mission, but, as legislation has grown more complex, it has found itself spending more time providing preliminary analysis and technical assistance during the drafting stage of laws. The CBO is being asked more often to prepare cost estimates for Bills that are heading for votes without being marked up by committees first.

I emphasise that the CBO is strictly non-partisan. It conducts objective, impartial analysis, and importantly that analysis is accepted among economists and, consequently, by both parties in Washington. The CBO has historically issued credible forecasts of the effects of both Democratic and Republican legislative proposals.

That brings me to the last thing that I want to propose for the OBR. It is crucial that the independence of the Congressional Budget Office is accepted and beyond reproach, because it monitors and marks the policies and proposals of not only the Government, but the opposition. The independence of the Office for Budget Responsibility is, I believe, beyond reproach, but it only monitors Government policies. The Budget Responsibility and National Audit Act 2011, which founded the OBR, states that where any UK Government policies are relevant to the performance of the OBR’s duty of examining and reporting on the sustainability of the public finances, the OBR “may not consider what the effect of any alternative policies would be.” That rules out analysing Opposition spending plans.

My proposal, therefore, is to extend the powers of the Office for Budget Responsibility to create a body that replicates the function of the CBO in the United States, providing independent analysis to hold spending commitments to account. The aim of my proposal is to extend the powers of the OBR, providing it with additional responsibility to assess, analyse and score every piece of legislation that goes through the Houses of Parliament.
for financial or fiscal impact. It will maintain its strict independence, making it acceptable on both sides of House, regardless of which party is in government.

The purpose of my proposal is to enable the OBR to provide independent information and analysis, in order to combat “fake news” and misinformation being circulated on Government and Opposition spending plans. Wild spending commitments have been made, particularly by Opposition parties in the past, for example over the abolition of tuition fees, with no responsibility to deliver while out of office and, therefore, no accountability.

Let us look at the Brexit debate. How much better could the debate have been had there been an independent body, such as the OBR, providing accurate analysis of the impact of the costs and opportunities of Brexit? It would have taken the pressure off the Government and given us analysis that would be accepted by all parties. We could then have debated how to make the best of Brexit—or not—rather than the endless debates we have had over bus-side promises, scaremongering over power grabs or whether the Brexit deal was sufficiently hard, soft or anywhere in between.

John Howell: How does my hon. Friend think the OBR would have reported, if it had been given that role?

Luke Graham: I do not know whether I am sufficiently qualified to project on to the OBR the conclusion it might come to. I am sure it would have provided additional food for thought, to contribute to the debate.

As I have already mentioned, other countries have long-established and well-respected independent fiscal bodies, which provide analysis that is respected and accepted across the political spectrum. That allows the politicians to debate the substantive matter, not subjective opinion. Establishing an independent system of accountability will hold manifesto commitments to account before an election, making fiscal sustainability a manifesto premium, and negating the opposition’s ability to garner support through unsustainable spending commitments. In turn, this will allow us, as politicians, to focus our debates on the content and direction of our proposals without having to waste time debating the credibility of the figures.

This is not the first time that this proposal has been suggested. In March 2014, Robert Chote, the chairman of the OBR, recommended to the Treasury Committee in a hearing that opposition party policies should be costed by the OBR, in order to improve the quality of public debate. Mr Chote was confident that it was within the OBR’s capabilities, although not in its current remit, to review party manifestos for a general election, so long as the parties could agree the terms of reference. During that Treasury Committee hearing, Mr Chote said that he supported “the OBR having a role in the costing of political parties’ manifestos in the run-up to an election”.

He said: “if Parliament wishes us to go down this route then it does offer the prospect of improving the quality of policy development for individual parties and it potentially improves the quality of public debate”.

The then shadow Chancellor, Ed Balls, wrote to Mr Chote, asking the OBR to assess the Opposition’s manifesto pledges, while Danny Alexander of the Lib Dems—then Chief Secretary to the Treasury—also supported the proposal.

The New Statesman, hardly known as a Conservative party mouthpiece, wrote in 2015: “Successful fiscal councils overseas demonstrate the need to balance responsibility with credibility. The Dutch CPB is an established part of the political landscape and plays an instrumental role in setting budgets and evaluating manifesto pledges. In the US, the Congressional Budget Office assesses alternative policy options for the government. The credibility of these institutions has been built over decades...evaluating manifestos should be the beginning of the OBR’s expanding set of responsibilities, not the end.”

Each piece of legislation put before the House, would, therefore, be scored, costed, and subjected to objective analysis and scenario planning, so that politicians can have a more informed debate. That would give us greater focus on smaller initiatives, many of which are announced in the House and passed within one news cycle. It would give us a better understanding of not only central Government funding, but devolved Government spending, so that we would always be clear about Barnett formula consequences and what direct funding is given to the different levels of devolved Administration throughout the United Kingdom. Finally, it would give us a more comprehensive view of our economic and fiscal outlook, so that politicians could have a more informed debate, hopefully leading to better decision-making.

There is something of a credibility crisis in politics just now. The public feel they cannot and do not trust politicians and the promises we make. That is why we should provide an independent, verified and reliable source for the figures we use in debates, one which all sides can agree on. The OBR already exists and has respect and esteem as an independent assessor of the Government, so why not extend that remit to cover all parties regardless of whether they are in Government or Opposition? There is clearly cross-party support for the proposal, as seen in my submission to the Backbench Business Committee. It would be a small but important step on the path back towards believability and reliability in our politics.

9.56 am

Lee Rowley (North East Derbyshire) (Con): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for Ochil and South Perthshire (Luke Graham) on securing this important debate; the relatively small number of Members in the Chamber is disproportionate to its impact, and I know our colleagues are desperate to be here and talk about these things. This is one of the most interesting and important debates the House has had in the last few weeks, in either Chamber, because underneath its surface is a series of questions that we as politicians, on both the Opposition and the Government Benches, have about what we want the debate to be about if we are to be more concerned about fiscal policy and monetary policy in the coming years, and how we ensure that that is underpinned with a series of structures that make those debates useful and helpful for those who seek to understand and, eventually, vote on them.

I welcome the main thrust of what my hon. Friend talked about in trying to ensure that the Office for Budget Responsibility—the structure that we have in
place already—could be expanded, so that it gave an understanding and indication of the costings of the myriad Bills that are introduced, whoever puts them forward, in the white heat of an election campaign, however difficult that is. That would give the electorate an opportunity to stand back—if done correctly and appropriately—and understand what people and parties were suggesting, and how responsible and, in some cases, irresponsible, those parties were being about our future financial and economic health. We have seen, over several decades, across the world, an increasing move to independent structures, whether independent central banks or independent fiscal watchdogs. I think this is a natural extension of that trend, which I would welcome.

I have both non-partisan and partisan points to make, so I will get the non-partisan ones out of the way first, before the hon. Member for Oxford East (Anneliese Dodds) intervenes on me, as I am sure she probably will. These things are important for having an educated democracy. To understand where we are going as a country, how much we are spending and the opportunities that are putting forward for our communities, the public have to have the information so as to understand the different choices being placed before them. It is an excellent idea to give people the tools to understand the implications of the policies that are being made—with the caveats, which I will come to and which my hon. Friend has explained.

We have myriad policies that sound brilliant in isolation, and it seems they should have been implemented decades ago. In isolation, that makes the Government look as if they have been mean or not cared about certain areas. There are often reasons, however, why policies are not implemented. There are reasons things are not necessarily a good idea, even though they look good on paper. There are opportunity costs to decisions that are made. If we can have a discussion about economics and implications, we will be stronger as a democracy.

That discussion must necessarily accept that the world is complicated. In politics, there is a tendency to simplify discussions, particularly about finance and fiscal policy, to a point where they become meaningless. We talk about billions, gaps and black holes in finances without understanding the economic implications and realities of the assumptions underneath them. Wherever we are on the ideological spectrum, it is important to improve the quality of debate about our finances and about where the Government—whoever is in government—seek to take them in future.

I welcome the proposal from that non-partisan perspective and from a partisan perspective, because if it had been in place in 2017, it would have blown apart the Labour manifesto, which was the biggest work of political fiction and fantasy I have seen in my lifetime. I say that not to annoy the hon. Member for Oxford East, but on the basis that on 12 May 2017 the Institute for Fiscal Studies said:

“This manifesto cannot be summed up in mere numbers.”

It also said that the tax measures were “highly uncertain”, that key elements of it were not explained, and that there was an inherent contradiction in borrowing more and seeking to reduce debt. I know that there is a way to do that, but the quantum of debt that the Labour party manifesto suggested was entirely unrealistic. If the Labour party had got in, and if I were not here today as one of the six Members of Parliament who gained a seat from it, we would be in a problematic economic and fiscal position.

Anneliese Dodds (Oxford East) (Lab/Co-op): I will do the large-scale demolition later, but I will ask the hon. Gentleman one question now: where were the costings in his party’s manifesto?

Lee Rowley: No one assumes that the 2017 election was perfect on both sides. I accept the principle of what the hon. Lady says to some extent: we did not have a good economic debate in the 2017 election, and I hope proposals such as this will improve the quality and standard of future debates.

My underlying point, which is partisan but not party political, is that I am extremely concerned about the level of debt that western democracies have taken on over several decades—that is one of the reasons I am in politics. That debt is storing up huge challenges for our children and grandchildren in the coming decades.

Speaking about debt has gone out of fashion in the last couple of years; it has not been a central part of our discourse, as it was when we had a large deficit several years ago. It is a credit to the Government that that deficit has been brought down, but it has not been eliminated. On a daily basis, we still add costs and create debt for our children and the people who will be here in 30 years’ time. Although debt is less than it was eight years ago, we should never forget that it is still significant. Between 2002 and 2014, debt as a proportion of GDP rose in every western democracy in the G7. In some cases, that rise was minimal, but in others it was extremely large. Western democracies have a debt addiction that will be problematic in the long term.

As a country, we have moved from paying £30 billion annually in interest payments to paying nearly £50 billion in recent years, and that will only increase. The problem with paying £50 billion is that some of the conversations that we have here every week—about how much money we should put into the health service, the education system or welfare—would be much easier if we were not spending 8% of our budget on debt repayments to financial institutions elsewhere in the world, just so we can hold money that we spent many years ago and that cannot have any benefit today.

That £50 billion is the equivalent of building a hospital every four days, of employing thousands of nurses, doctors and other people in the public sector, or of significant cuts to income tax. The problem is that if we, as a representative western democracy, do not arrest our continued debt addiction, in 20, 30 or 40 years’ time, the figure will be £75 billion or £80 billion in real terms.

Many people have suggested that extending the remit for independent fiscal watchdogs, as my hon. Friend the Member for Ochil and South Perthshire has proposed, does not work, because it is ultimately impossible to model some of the underlying implications as there is an inevitable political bias in the assumptions that will be utilised to assess the activities, and because they might not be truly independent.

My hon. Friend also talked about the situation in 2014-2015, when the former shadow Chancellor suggested that the Office for Budget Responsibility look at Labour’s manifesto costings, but it did not have the capacity to
do that. Those are all interesting points, and probably worthy of debates in themselves, but we have to decide whether we want to improve the quality of debate on financial and economic policies—and I do. The extension of the OBR’s remit would be a positive step in that direction.

Those watchdogs work and are useful, as my hon. Friend showed by talking about the Congressional Budget Office in America and institutions in several other countries around the world. I will point to two examples from Australia, where I have family; I am particularly interested in the political machinations there.

In 2007, the Liberal party, which I would closely ascribe to if I were in Australia, was moving out of office and the centre-left party was coming in under Kevin Rudd. In the heat of that election campaign, there was a big debate between John Howard, the Prime Minister, and Kevin Rudd, who would become Prime Minister, about financial and economic costings. The centre-right Government were trying to splurge to win an unprecedented fifth term in office, so they proposed approximately double the increase in spending that the centre left proposed.

I would naturally support my Liberal friends in Australia, but they were not proposing the right policies at the right time, and in doing so, they were not recognising the challenges of an overheating economy. Australia’s independent watchdog came along and said that the proposals would cause problems, which gave the mantle of economic credibility to the Labor party—something that is rarely done across the world.

Kevin Rudd is not a natural fellow traveller for me, but his biography says that “barely 10 days out from voting day...we had won the all-important battle for fiscal credibility...the political dividends were reaped not only from a slew of Australian financial and economic commentators but from the international credit rating agencies too. Fitch stated that Australia would retain its AAA credit rating if Labor was elected”.

That is an example of why this kind of policy, and this kind of proposal, is really important.

If we fast-forward to the 2013 Australian election, Kevin Rudd was at the end of his second term as Prime Minister and was seeking to splurge to stay in office. In the white heat of the election campaign, his party put out a number of scare stories about why the incoming coalition Government were going to cut loads of things, cause huge economic problems and really affect the economy—the kind of thing that we hear quite regularly. The Australian published a book called “Triumph and Denise” by Paul Kelly, an eminent journalist in Australia, in which he said:

“In the second-last week of the campaign, the heads of Treasury and Finance issued a statement repudiating Labor’s claims” on the costings of the coalition—the opposition. He continued:

“It was an unprecedented event, the biggest story of the campaign and a humiliation for Rudd as prime minister. Rudd had over-reached and been repudiated by his own advisers. The symbolism of a dying, dysfunctional and dishonest government was irresistible.”

I would not particularly like to have been in John Howard’s or Kevin Rudd’s shoes, but that demonstrates that if we get structures right and have an independent watchdog that can look and say, “This doesn’t work. This is wrong. These numbers are obscured,” that can improve the quality of debate and focus people on the underlying questions that are being asked.

However, that will only ever be useful if we, as politicians, and the country at large, recognise that statistics are not necessarily the be all and end all, that there is a wider context to be gained from them, and that we need to treat them with caution, as my hon. Friend outlined. But in principle, the extension of the OBR’s remit is extremely important. Although I recognise that there are challenges, if we are looking to take steps to improve the quality of debate—both within this place and without, in the wider community—we should seriously consider ideas such as this, which I welcome strongly.
Budget Office and agreement from all parties that the Office for Budget Responsibility is non-partisan, we need that very clear separation; the OBR clearly needs to be an independent body.

It was interesting to hear about the situation in America and Australia in relation to how those countries' fiscal commissions operate. However, it would be particularly useful—I am always suggesting this when policies or suggestions are put forward—to hear about countries in which these things do not work, so that we would be aware of any potential pitfalls before we make any decisions. It is always useful to consider how things operate differently in different countries—where these commissions work and where they do not work—so that the pros and cons can be assessed before any decision is made about any changes.

Regarding where things are different, it would be useful to look at other fiscal commissions to see whether their scrutiny works. Whatever any organisation does, there is an accusation of bias, and my particular concern about the OBR is that it would be difficult for it to be in a situation where it was not accused of being biased and that it would find it hard to find that middle ground, if you like. Generally, my view is that the right middle ground is when people on both sides are disagreeing with someone or something and saying that they are wrong—if that happens, they have probably found something there. That is certainly the position that most politicians find themselves in. However, it would be difficult for the OBR to prove that it can strike that balance.

Luke Graham: The hon. Lady is making a very valid point. I just want to refer back to my speech, where I looked at some of the results of OBR forecasts. On average, when we take out the one outlier for 2013, the OBR is actually only 0.1% off, and that was the result of it working on a more conservative basis and underestimating growth. So perhaps we can let the facts speak for themselves, which will help to build credibility, both for the OBR and the Scottish Fiscal Commission, which she has mentioned—obviously, they already work together.

Kirsty Blackman: Absolutely. I am definitely not saying that extending the remit of the OBR is impossible; I am just suggesting that it would be a difficult task for the OBR, particularly if it was forecasting on the basis of individual policies, which it has not done to any great extent in the past. That would be a new place for the OBR to prove its worth and to prove it is non-partisan. However, as I say, I do not want to say that that is an impossible task; I am just suggesting that it is a difficult one and that the OBR would probably take time to find its feet in performing it.

Looking at individual policies and their wider impact would be a very good thing to do. We should consider the fact that we have had so many Finance Bills; even in my three years as an MP, the Finance Bills have kept coming and coming. In each of those Finance Bills, there are changes to legislation; sometimes there is new legislation, and sometimes there are changes to legislation. However, I do not feel that we have adequate information about exactly what the full impact of those changes to legislation will be.

For example, in the last few years, the Government have increased insurance premium tax, and there has not been particularly wide-ranging analysis—certainly not independent analysis—of the cost of that change. It is all well and good for the Association of British Insurers to produce a forecast of that cost, but I assume people would argue that such a forecast might be biased. Equally, it is all well and good for the UK Government to produce an analysis, but, again, people would assume that that analysis was biased.

So we have a situation where there is not an independent forecast of exactly what the cost of increasing insurance premium tax will be. If increasing insurance premium tax means that individuals could no longer afford to pay their insurance, might such individuals become homeless, and would the state have to step in to help them? If that happened, there would be an additional cost that was perhaps not accounted for in the Government's forecast of how much additional revenue would be created. Consequently, looking in-depth at such policies would be very important.

Policies such as the bedroom tax could be considered. In considering the reduction in benefits for individuals who have an additional bedroom, we must ask what the resulting cost of that policy will be. It perhaps saves the Government money, because people will choose to downsize rather than live in properties that are too big for them. Actually, the evidence perhaps bears out that that does not happen nearly as much as the Government predicted it would. People would perhaps also have to move away from their communities and the support mechanisms they have around them, so there would be an additional cost for the state, as it would have to pay for the lack of support structures that those people have around them if they move. There are incredibly wide ramifications with some of the costs of such a change, so it would be good to have an organisation such as the OBR—if it could be proven to be independent in this regard—looking at the wide-ranging impacts of a policy and examining the draft clauses for the Finance Bill later this year.

I think there is a clause in the upcoming Finance Bill—I think it is clause 31 or clause 32—in relation to VAT interest accrual payments. Basically, the Government proposal is that Her Majesty's Revenue and Customs will no longer pay interest on repayments that it is due to pay to VAT-paying organisations that have overpaid their VAT. I am not clear what the wider ramifications of that will be. Will it cause cash-flow problems for small businesses? I do not know, but for me to be reliant on the Government's forecast on that issue would cause me some issues, because I would be concerned that the Government's forecast might be biased.

As I have said already, I am similarly concerned that organisations with a vested interest might have a biased position in this regard. It would be very good to see an unbiased perspective on some of these proposals, particularly, as I mentioned, because of the number of Finance Bills there have been and the number of tweaks they have made to policies. I have yet to see a Finance Bill that has not made changes to benefits in kind for people who have vehicles for their work. Now, in the grand scheme of things, not that many people have vehicles for their work, but the fact that every single Finance Bill tweaks the legislation means that there was something wrong with the legislation in the first place, and it is also difficult for us to consider the potential ramifications, because we are not getting extensive information about these things.
Finally, I just want to highlight another issue. In my intervention earlier, I asked whether the policies the Government have put forward have produced the outcomes the Government said they would. I appreciate the point of view of the hon. Member for Ochil and South Perthshire, and the Public Accounts Committee does a huge amount of work, getting through an incredible amount of information and producing very good reports. Perhaps it is my feeling as an MP that I am not saying to the PAC, “How about you check out this tax relief and whether it has had the impact the Government said it would.” With some of the tax reliefs that have come through in the past, I have asked the Treasury, “Can you tell me whether this tax relief has made the saving, or had the additional cost, you suggested it would?” Generally, it comes back with, “Oh yes, we keep all reliefs under regular review,” but it does not provide me with the tangible information I would like so that I can be assured that the position the Government took, and the case they made, were the correct ones, so that, if they make a similar case in the future, we can agree or disagree with it. That is really important.

I still think there is an issue with the information the Government provide to the OBR, regarding not just the post-situation, after policies come through, but before they come through. I want to read some statements from the OBR’s 2017 “Economic and fiscal outlook” and elsewhere:

“We asked the Government if it wished to provide any additional information on its current policies in respect of Brexit...it directed us to the Prime Minister’s Florence speech from September and a white paper on trade policy published in February.”

About the Brexit negotiations, it said:

“we still have no meaningful basis on which to form a judgment as to their final outcome and upon which we can then condition our forecast.”

It is all well and good to argue for the OBR to have a wider remit, and I am not opposed to the idea—it is interesting, and we should explore it further to see how it might work—but the OBR can make good forecasts only if it is provided with good information from the UK Government. I get that the UK Government have very much struggled to convince all their MPs to support any proposal on Brexit, but if the OBR had the flexibility to say, “This would be the fiscal outcome if the Government chose this path, and this would be the outcome if they chose other path,” that would help parliamentarians make the correct decisions about how to go forward.

I was shocked when I read that 2017 Office for Budget Responsibility Office for Budget Responsibility...Quite unafraid to speak some perhaps uncomfortable truths when necessary. There was much discussion of its role around the time of the last Budget, and its potential impact on economic sustainability. Of course, it was the OBR that pointed out, at the time of the last spring statement, how projections for both GDP and productivity and investment growth are set to be lower than anticipated, thus counteracting, perhaps, some of the media coverage that has suggested that as a country we are out of the woods in some way. On the long-range issues, the OBR has suggested that much work needs to be done if we are to get our economy on to a more sustainable basis. I very much agree with the hon. Member for Ochil and South Perthshire’s praise for the OBR’s accuracy in that regard, even though the office sometimes has negative, or at least concerning, lessons to impart about the long-term economic sustainability of our country.

The OBR has been unafraid to speak some perhaps uncomfortable truths when necessary. There was much discussion of its role around the time of the last Budget, when the new stamp duty holiday policy was being introduced. The OBR was concerned to look at its potential impact on house prices. It was criticised for doing so, but it was absolutely right that it did.

I am delighted that we are talking about the remit of the Office for Budget Responsibility. I strongly agree with the hon. Member for North East Derbyshire (Lee Rowley) that it is an important issue. I regret that we do not have many Members thronging the Chamber; the last time but one I was here was for the debate about safe standing for football grounds, and it is a shame that we do not have the huge numbers we had then. It is incredibly important to talk about the robustness of figures when it comes to budgeting. I have to say, if you will permit me, Mr Gray, that it is also a delight for me to be able to talk about Labour’s manifesto and spending plans. It feels like summer has come slightly early for the Labour party—perhaps not quite as early as the Prime Minister had hoped. Still, I am pleased to be able to cover these subjects, but I will do so briefly, Chair, so as not to strain the patience of those in the Chamber.

Labour, of course, supports the OBR. We have had a good summary and discussion here of its origins and its work, and Members have usefully referred to how it follows on from similar independent fiscal institutions in other countries, not least those in the Netherlands and the US. The hon. Member for Strangford (Jim Shannon), who is no longer in his place, rightly mentioned the significant expertise we have in our OBR, how it compares favourably with other parts of Government and how we need to ensure that we support the people who work there. I very much want to pay tribute to all their hard work.

The OBR’s analysis, particularly in recent years, has been enormously helpful, especially in performing the task—referred to briefly by some Members—of having a long-term perspective on Government spending and its potential impact on economic sustainability. Of course, it was the OBR that pointed out, at the time of the last spring statement, how projections for both GDP and productivity and investment growth are set to be lower than anticipated, thus counteracting, perhaps, some of the media coverage that has suggested that as a country we are out of the woods in some way. On the long-range issues, the OBR has suggested that much work needs to be done if we are to get our economy on to a more sustainable basis. I very much agree with the hon. Member for Ochil and South Perthshire’s praise for the OBR’s accuracy in that regard, even though the office sometimes has negative, or at least concerning, lessons to impart about the long-term economic sustainability of our country.

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The hon. Member for North East Derbyshire helpfully mentioned some of the trade-offs involved in policy making and suggested that we need more of a focus on those, particularly when assessing the economic impact of Government policies. I strongly agree that that issue
needs to be much more explicit. We need a far better quality of debate in that regard, and the hon. Member for Aberdeen North (Kirsty Blackman) gave us some very good examples of where short-term savings appear to have been made in Government budgets but have long-term impacts, often not for central Government but for local government. In practice, debt has been transferred over recent central Governments to local governments, foundation trusts and other bodies. In many cases, the debt has not gone away; it is just in a different place, and we need a greater focus on that.

Above all, we need a far greater focus on our long-term productivity problems and the OBR has played an important part in encouraging evidence-based debate on the topic. In the long run, if we do not deal with our investment gap, which in Britain is far larger than in many comparable countries—our investment has not gone back to pre-crisis levels at the same speed as elsewhere—we will not have the capacity to raise sufficient Government revenue in the future. We have to deal with those issues quickly, and bodies such as the OBR help us to do that and perhaps to move beyond some of the sterile debates about making short-term savings that do not have long-term sustainability.

Labour is such a strong supporter of the OBR that we agree with the hon. Member for Ochil and South Perthshire (John Howell) about an extended remit. The OBR has helpfully raised the salience of long-term challenges for the UK’s public finances due to demographic change—something the hon. Member for Henley (John Howell) usefully mentioned—but Labour Members feel that it could have a more expansive role when it comes to a long-term threat that is not sufficiently considered by the Government, that of climate change and environmental degradation, to which many experts, not least Lord Stern, have drawn attention. We ask the OBR to report in particular on the fiscal risks of climate change, which could include the impact of raised food costs, the costs of flooding, and lost productivity caused by extreme weather events.

The current Government may be sanguine about lost revenue; we saw just last week another Treasury Minister talking about the potential trade-offs between being able to move goods across borders in the event of a no-deal Brexit and potentially losing revenue by not being able to collect VAT. No study has been done on the potential impact of that. We have had nothing from the Government that spells that out, but we should have. We need transparency on such issues and on the short and long-term risks to the public finances, particularly in relation to, as I said, environmental damage.

Widening the OBR’s remit would go with the grain of developments in many other countries. The hon. Member for Aberdeen North rightly referred to the need for greater post hoc evaluation of economic decisions. She referred to the case of tax reliefs, which is something that I have worked on for some time. We rarely have post hoc evaluation of the impact of tax reliefs in the UK, which contrasts with the situation in many other countries. India has an annex to the Government Budget that covers tax reliefs, but we do not have that in the UK. There is a real contrast with how we assess spending against foregone income in the form of tax expenditure. There is a huge gulf there and we need to deal with that. The OBR could play a part in that, and we should think about that for the future.

The Labour party’s position remains that the core role of the OBR should be to scrutinise the Government’s fiscal and economic plans, but it should do so in a more expansive and open manner than previously, as I have explained. An extension of its remit to cover party manifesto pledges might be warranted, but if it occurs it increasingly considering environmental matters when it comes to assessing the promise of different investment opportunities. The OBR would probably be willing and happy to do something that would usefully build on its existing activity.

We also want to strengthen the independence of the OBR, requiring it to report to Parliament rather than merely to the Executive, as was helpfully mentioned by the hon. Member for Ochil and South Perthshire. That is the approach of the CBO in the US, and it could be usefully adopted here. It is not unusual for an independent fiscal institution to report to the legislature rather than the Executive, and it would aid the OBR to show that it is a truly independent evidence-based body that can have a real impact on policy making. It might also then lead to a greater salience of its reports at a political level and at the level of public discourse and debate as well, which would be a good thing.

There are many other areas where we need more data and analysis to truly assess the impact of economic decision making. One area that has come up frequently in recent Budgets concerns the lack of distributional analysis of Government economic decisions. I am pleased to see support for that from the hon. Member for Ochil and South Perthshire and for North East Derbyshire, who are nodding. The Department for Work and Pensions carries out such analyses frequently. The Treasury appears to do such analyses, but it does not report them publicly very often, which is a problem. The Government have a duty under the public sector equality duty to consider how their decisions affect people with protected characteristics, but at the time of a Budget, for example, we do not have that analysis in front of us, so we cannot examine the impact of policies on different groups, and it is very difficult for members of the public to assess the impact on them.

Recent policies have had very different impacts on different groups of people. If we look at changes to social security, the incomes of lone parents, particularly black and minority ethnic lone parents, have dropped substantially by up to around £9,000 in some cases, and that has not been made clear from Treasury analyses before Budgets. It is important to have a clearer handle on such impacts at the time when we actually vote on such measures.

On the point about greater evidence and analysis before economic decision making, the hon. Member for Aberdeen North rightly referred to the need for greater post hoc evaluation of economic decisions. She referred to the case of tax reliefs, which is something that I have worked on for some time. We rarely have post hoc evaluation of the impact of tax reliefs in the UK, which contrasts with the situation in many other countries. India has an annex to the Government Budget that covers tax reliefs, but we do not have that in the UK. There is a real contrast with how we assess spending decisions in terms of direct spending programmes as against foregone income in the form of tax expenditure. There is a huge gulf there and we need to deal with that. The OBR could play a part in that, and we should think about that for the future.
must be in concert with an extended remit to examine governmental spending commitments and it must be adequately resourced to enable it to fulfil that task. I am aware of the Dutch example that the hon. Member for Ochil and South Perthshire referred to. I was pleased to see him inter alia praising the role of trade unions in decision making, which was slightly unexpected but good to hear. We can usefully learn from the Dutch example and the extended remit to look at Government spending plans. We had an interesting discussion about the Australian situation that the hon. Member. Member for North East Derbyshire mentioned. The hon. Member for Ochil and South Perthshire referred to the CBO and its more extensive role in ongoing policy making—not just at Budget time; it looks at discrete policies on an ongoing basis. Before we talk about potentially extending the OBR’s remit in that manner, it is important to focus on the activities of the Treasury first. In many cases the Treasury should carry out analyses, anyway. There is the question of independence; I do not take that for granted. But in many policy areas we do not even get to the level of understanding what the Treasury analysis is, let alone having that independent analysis as a guarantor.

I do not agree with the hon. Member for Aberdeen North on everything, but I did agree with her on Brexit. Internal analysis has been conducted within the Treasury, but it has been like trying to get blood out of a stone to allow Members, let alone the public, to see that analysis. If the Treasury were a little more open about its processes, we would be in a different situation and we could then consider whether there should be additional independent analysis, but let us have more open analysis from the Treasury first.

Some Members referred to Labour’s spending plans. I regret that the hon. Member for North East Derbyshire tried to wriggle out of my question about where his party’s spending plans were set out in pounds and pence. He spoke elegantly and eloquently, but he managed to wriggle out of it because his party failed to include any costings anywhere in its manifesto at the general election. As my right hon. Friend the Member for Hayes and Harlington (John McDonnell) has commented, the only numbers in the Conservative manifesto that we have been able to see are the page numbers. We have seen nothing about how different approaches to spending would be carried out. We have seen a similar approach continuing in Government. The huge elephant in the room in this discussion concerns plans for NHS spending. A commitment has been made to a huge boost to NHS spending, but we have no idea where the additional funding will come from. Initially there was a suggestion that it would come from a so-called Brexit dividend, but it does not appear from the current approach to Brexit that there will be any such dividend. We heard whispers about where the funding will come from, but they are just whispers.

James Gray (in the Chair): In the context of the OBR.

Anneliese Dodds: In the context of the OBR, the problem is that we have just heard from some Members that the OBR’s remit should be extended to cover party political manifestos, and we have the Government making a huge spending commitment during its period in office, and yet no details have been provided for how the spending will arise. Many public servants are reading the tea leaves, not least those in the police, and assuming that the spending will come from cuts elsewhere. They are probably not wrong to do so.

Some Members referred to the discussion of Labour’s spending plans at the general election. It was possible to have that discussion because Labour had set out its spending plans in their grey book. I can see the hon. Member for North East Derbyshire smiling. He will smile even more when I provide him with some summer reading: Labour’s grey book, “Funding Britain’s Future”. It is very simple to read. I am sure other Members who are former accountants will find its layout very simple because it sets out on one side where more revenue will be derived and on the other side where expenditure will go. It is enormously simple to understand.

Luke Graham: Will the hon. Lady give way?

Anneliese Dodds: I would be very happy to do so.

James Gray (in the Chair): To intervene only about the OBR, I call Luke Graham.

Luke Graham: I look forward to that interesting summer read. Hopefully the hon. Lady will support my proposition that those figures would have even more credibility if an independent body could check them to ensure that the assumptions and figures featured in that document are credible, real figures and not socialist fantasy.

James Gray (in the Chair): To speak only about the OBR, I call Anneliese Dodds.

Anneliese Dodds: I absolutely will, Mr Gray. The hon. Gentleman suggested that the OBR’s remit could be extended to look at such figures. As I said, Labour is not against that. We might be interested in looking at that, but the figures have to be provided in the first place. Sadly that was not the case for his party at the last general election. I humbly suggest that as a first step towards that outcome, his party might follow mine and set out some of its spending. That would mean that we could have a discussion with other independent bodies in advance of an election, as occurred with Labour’s spending plans.

We had a useful, productive discussion with the Institute for Fiscal Studies, which looked into our assumptions. There were differences of view in relation to some areas of spending. For example, Labour suggested that it should not be assumed that removing the pay cap, which is something that we have committed to do for public sector workers, will be only a cost, because revenue would be positively affected by the additional national insurance that would arise from slightly higher wages. The IFS does not take that into account, so we had different assumptions on that. However, Labour wants to have that debate and discussion. To do that, we need to have the figures out there in the first place.

I thank the hon. Member for Ochil and South Perthshire again for securing the debate. I also thank all those in the Chamber and, particularly, those who work so hard for the OBR to ensure that we have an independent, unbiased assessment of our public finances. Finally, I wish everyone a very enjoyable summer.
James Gray (in the Chair): Before I call the Minister, may I clarify something that has been worrying me throughout the debate? When I was brought up in the foothills, I remember those hills being called the “Ochils” as in “ochre”, rather than the “Ochils” as in “Och aye the noo”. Perhaps the hon. Member for Ochil and South Perthshire (Luke Graham), who led the debate, will clarify precisely how we pronounce the name of his constituency.

Luke Graham: It is the former, not the latter.

James Gray (in the Chair): Thank you. I call the Minister.

10.41 am

The Exchequer Secretary to the Treasury (Robert Jenrick): It is a pleasure to serve under your chairmanship, Mr Gray, and I thank my hon. Friend the Member for Ochil and South Perthshire (Luke Graham) for securing the debate. There are few issues on which I would like to end the parliamentary term more than the remit of the Office for Budget Responsibility. As we have heard from Members on both sides of the House, there is widespread agreement that the quality of our national debate on economics is extremely important—not just to the economy and the country, but to the sustainability of our democracy.

The Government are proud to have established the Office for Budget Responsibility in 2010. On behalf of the Treasury, I thank—as my hon. Friend did—its staff, its first chairman, Sir Alan Budd, and of course Robert Chote, who has taken the organisation forward since. Were he listening to the debate, as I am sure he is, he would take heart from the fact that hon. Members on both sides of the House have praised the organisation that he leads and agreed that it has managed, in a relatively short time, to establish itself as a credible and independent organisation. I hope that that continues in the years ahead under his leadership and that of whoever succeeds him.

We created the OBR in the context of the fiscal disaster that was the last Labour Government, as part of our mission to restore credibility to the public finances. Since 2010, we have gone a long way to turn things around, reducing the deficit by three quarters and reaching the point where our debt will begin to fall this year, but I do not begin to claim that we have reached the end of the story.

There is a great deal more to do, and, as we heard eloquently from my hon. Friend the Member for North East Derbyshire (Lee Rowley), we are still paying, as a country, £50 billion a year in interest payments. That fact alone demonstrates the importance of the OBR and of improving the quality of economic debate in this country. As my hon. Friend rightly pointed out, all democracies in the west have suffered in recent years from politicians over-promising at election times and at other moments. We need to ensure that we have fiscal credibility as a country to sustain our democracy.

We created the OBR specifically as an independent institution responsible for examining the sustainability of the public finances and ensuring that the UK maintain its credibility—something that was clearly in doubt back in 2010.

Anneliese Dodds: May I briefly ask whether the British economy was growing when Labour left office?

Robert Jenrick: The British economy had just suffered a severe recession, and we inherited the largest peacetime deficit since the end of the second world war. Nothing exemplifies the situation with the public finances more than the note that was left on the desk in the Treasury office down the road saying that there was no money left.

The OBR produces the official economic and fiscal forecasts for the UK. It does not cost Government policies, but scrutinises and certifies costings initially prepared by the Treasury and other Departments to estimate their impact. That is an important point, to which I will return in a few moments. The OBR also provides detailed public reports, including the fiscal risk report every two years, which we have heard about, and the fiscal sustainability report, which was published last week and which keeps us at the frontier of fiscal management internationally and demonstrates our commitment to fiscal transparency and accountability. I am pleased that, as we heard in the debate, Scotland has followed suit and, since 2014, the role of the Scottish Fiscal Commission has been strengthening. That institution is in its relative infancy, but it appears to be building credibility and working to help keep Scottish finances in check.

The OBR has won international acclaim. Earlier this year, Kevin Page, in a paper for the Centre for Economic Policy Research, said:

“The OBR’s commitment to transparency is likely the gold standard in the IFI community.”

He added:

“The OBR deserves to be considered a leader among independent fiscal institutions

“for the transparency of its work and the credibility it derives”, as we have heard from hon. Members. Protecting that credibility should be as much a priority for Parliament as it is for Government.

Since 2010, there have been a number of calls to expand the OBR’s remit, including proposals, as we have heard today, to report on distributional analysis, performance against child poverty targets, environmental matters and living standards. Each has merits, and we should discuss and further thought. The OBR was deliberately set up to report on the sustainability of the public finances, and to date that is where we have let the matter settle. Asking the OBR to expand into areas beyond its core expertise and experience carries with it risks to its credibility. We need to consider that carefully before taking any such steps.

The OBR has also been called on to produce costings of policy proposals for Opposition parties. Again, we have heard about that today, and it has been raised by successive shadow Chancellors, including Ed Balls before the 2015 general election. Respected institutions such as the Institute for Fiscal Studies already perform that function well, and we should bear that in mind as we consider such proposals. As we heard from my hon. Friend the Member for Ochil and South Perthshire, the IFS recently exposed the folly of some of Labour’s proposed tax increases.

Anneliese Dodds indicated dissent.
Robert Jenrick: The hon. Lady shakes her head, but the IFS said that those would lead to taxes being raised to their highest in peacetime history. The IFS also questioned whether they would raise as much as the shadow Chancellor claimed, and said that they would hit working families hardest. We do not always need to rely on the OBR to twist the knife, as the IFS has certainly done so repeatedly.

Anneliese Dodds: May I respectfully ask how exactly the IFS was able to analyse the Conservative party’s policies, when there was no indication in its manifesto of how any of them would be funded? It appears slightly peculiar to pick on the small number of criticisms made by the IFS of some elements of Labour’s assumptions when no information whatever was provided by the Minister’s party.

Robert Jenrick: I would not characterise the IFS’s criticisms of the Labour party’s manifesto as “small”. They were pretty fundamental; the remarks I have just described speak for themselves. The IFS did analyse the policies of the Conservative party in the lead-up to the last manifesto, but let us stick to the question before us today, and apologies to you, Mr Gray, for deviating from it.

A number of arguments have been made today for widening the remit of the OBR. Over previous years, such arguments have been looked at in some detail. Back in 2014, Robert Chote wrote in response to Andrew Tyrie, now Lord Tyrie, who at the time was Chair of the Treasury Committee, setting out his views on the matter. He said that, while some of those arguments undoubtedly had merit and deserved proper consideration by the Government and by Parliament, it was important that we consider “the significant practical issues that would need to be addressed”. Let me briefly set out some of those, which we would all need to consider.

My hon. Friend the Member for Ochil and South Perthshire referred to the US Congressional Budget Office. That is a good comparison, although the US system varies from ours in a number of ways—in particular, Congressmen, Congresswomen and Senators have a much greater ability than Members of the House to initiate legislation that carries with it significant financial implications. However, it is worth considering the remit of the CBO, and its capacity.

The CBO undertakes analytical work in-house and has around 235 members of staff, with an annual budget of around $50 million. In comparison, the Office for Budget Responsibility has just 27 members of staff and costs us around £2.5 million. The OBR is clearly dwarfed in comparison. Although that is not in itself a reason not to proceed, we would have to consider the financial consequences of doing so.

The OBR is required by law to produce cost estimates for nearly every Bill approved by a full budget committee of either the House or the Senate, and produced 740 such formal costings last year, so a significant amount of work would be required. It is worth pointing out that the CBO does not—this is perhaps a more relevant comparison for some of the issues we have discussed this morning—evaluate the costings of candidates for Congress, or indeed of presidential candidates. Clearly, to increase the remit of the OBR would require it to have a significantly larger operation.

Undertaking Opposition costings as part of the parliamentary process would have important implications for the OBR and departmental resources in all Departments, including the Treasury, and would feel were it to be involved in manifesto costings. The time that the OBR and Departments needed to produce costings would pose very particular difficulties during general elections, some of which are unplanned. It is difficult to see how parties could be afforded the customary flexibility in developing their manifestos until a relatively late stage in the election process, to reflect the public debate in the run-up to the election. Instead, they might have to submit detailed proposals two or three months ahead of a general election. Of course, we could consider that, but we would have to consider carefly the implications for the general election process and the way we have traditionally approached that.

The policies in scope for OBR costings also differ in type from the policies that have dominated the political debate. The detailed costing process at fiscal events covers only tax and welfare policies, which are clearly very important and a significant element of general elections, but are not all the issues reflected in a general election or all the policies in manifestos.

The other point to note is that the OBR does not produce the work in-house. It relies on detailed data produced for it by Departments, including the Treasury, which are then submitted to the OBR for scrutiny and analysis. As the hon. Member for Aberdeen North (Kirsty Blackman) said, the quality of that information is extremely important. Civil servants in Departments would be required to work through political parties’ manifestos and then provide high-quality approved data to the OBR, with which it could do its usual costings.

Kirsty Blackman: I do not think that the problems the Minister raises are insurmountable; they could be overcome. A concern that I perhaps should have mentioned in my speech is how the OBR decides which policies it will look at, and which it will not. It could be accused of bias if it looked only at Labour party policies, for example, and not very many Conservative party polices. If the OBR were to be expanded, I would like to see a public consultation on what its expanded remit should be and which policies it should therefore look at.

Robert Jenrick: Were the OBR to see its remit extended, that would be a matter for Parliament. It would be debated extensively within Parliament.

To finish my point on civil servants, there is an important matter of principle here. Civil servants would have to undertake detailed costings and provide data on Opposition policies—we should all acknowledge that that would represent a significant constitutional development for the UK. We would have to be willing to do that in the knowledge of its consequences.

To answer other points raised in the debate, the OBR does, to some extent, look at the effectiveness of policies. For example, it re-costs policies at each fiscal event, and it looks again at tax policies that arose in previous fiscal events at each subsequent Budget. It does not evaluate the individual effectiveness of the policy, but evaluates only its fiscal consequences. Although the National Audit Office and the Public Accounts Committee, as well as Select Committees, have the ability to do that—and do so, very well.
The hon. Member for Oxford East (Anneliese Dodds) raised a point about the OBR’s remit with regard to the environment. The Government are interested in how we can ensure that the Treasury takes account of climate change and other important factors. One example of our action is commissioning Professor Dieter Helm to carry out an important review for us and to take forward the idea, still in its infancy, of how we as a country could create natural capital accounts. We are very keen to work that through in the coming years.

This has been a helpful debate. It is important for Parliament to review the OBR at this moment. We have conducted two internal reviews in the Treasury, both of which concluded that the remit is sufficient. We do not intend to change it at present, but it has been helpful to hear views from a number of Members and we will of course give careful consideration to those views in the future.

10.57 am

Luke Graham: I thank all colleagues for joining me to take part in this important debate. I take to heart some of the comments made by my hon. Friend the Member for North East Derbyshire (Lee Rowley), and the hon. Members for Aberdeen North (Kirsty Blackman) and for Oxford East (Anneliese Dodds).

We have seen that the performance of the OBR is not in dispute. It has established itself as an independent and credible body for scrutinising Government expenditure plans. The Minister referred to points made in the debate and said that, at the moment, the Government have no plans to take forward any proposal to expand the OBR’s remit. Any proposal has to be matched by political will. My purpose in introducing the debate was to raise some questions and shine some light on an area of policy that is perhaps a little less sexy than some others that get debated in the House of Commons.

I certainly hope that our next debate will be much better attended. As the Minister mentioned, the measures could be good things in themselves. They would cost more and require more resourcing, but if that were to lead to more informed debate and better law-making, that is a cost that the House and our constituents would have no plans to take forward any proposal to expand the OBR’s remit. Any proposal has to be matched by political will. My purpose in introducing the debate was to raise some questions and shine some light on an area of policy that is perhaps a little less sexy than some others that get debated in the House of Commons.

Question put and agreed to.

Resolved.

That this House has considered the remit of the Office for Budget Responsibility.

Preston Park Train Services

11 am

Caroline Lucas (Brighton, Pavilion) (Green): I beg to move,

That this House has considered train services to and from Preston Park.

It is a pleasure to serve under your chairmanship, Mr Gray. I welcome the Minister and the hon. Member for Hove (Peter Kyle), who cares deeply about this issue and other subjects relating to rail services in Brighton and Hove. Today, the focus is on Preston Park.

This debate is sadly necessary because of the decimation—quite literally—of rail services at Preston Park station in Brighton. People travel from that very busy commuter station to London, and to the station to attend the many schools and the two sixth-form colleges in the area. The station also supports Brighton and Hove Albion—fans are shuttled to and from the station by buses located near it—and is essential for key events such as Brighton Pride and the marathon.

It therefore beggars belief that, following the introduction of the new timetable on 20 May, services have been slashed by about 30% at peak times. Cancellations on top of the devastated timetable have left Preston Park almost unusable. Even with the new timetable, since 16 July some 63% of Preston Park services have been either delayed or cancelled. Although cancellations appear to have been slightly improved, I hope the Minister will not suggest that people should be grateful that 37% of trains now run on time, compared with 29% after 20 May.

The ongoing fiasco is leading to dangerous overcrowding and distress. Preston Park commuters are at their wits’ end. It is no surprise to me, given the daily messages of distress that fill my inbox, that in just five days more than 1,000 people signed a petition, which I presented to the House of Commons last Tuesday, calling for the restoration of services. I have repeatedly raised my concerns with the Rail Minister, and he recently wrote to me in response. I want to take this opportunity to explain to him directly why his reply did not go down well with the constituents I sent it on to.

On the inadequacy of the new timetable, it has been explained to the Minister that the Gatwick Express to Victoria no longer stops at Preston Park, after having served the station for 10 years. There is not a reduced Gatwick Express service; the service no longer stops at Preston Park. People have bought annual season tickets with a huge premium to enable them to use Gatwick Express services from that station. They moved to that area to make their lives work with a commute to London, based on an understanding and an expectation that the service would be there. The Southern trains that have replaced the Gatwick Express start at Littlehampton, 11 stops before Preston Park, so by the time they reach Preston Park they are—unsurprisingly—cramped full.

The service cuts are causing massive distress and are ruining lives. These are just three quotes from my bulging inbox. The first person said:"

“I commute from Preston Park to London Bridge...The trains are cancelled and delayed more than they run on time. I spend the (standing) journey fretting as I’m late for work. I spend the journey home fretting as my child has one parent, me, and I’m left stranded 70 miles away.”
The second person said:

"I would like to let you know about the severe difficulties I have experienced going from Preston Park to London Victoria and back for work. I pay nearly five and a half thousand pounds a year for a Gatwick Express service that no longer stops at Preston Park."

Finally, the third person said:

"The train service from Preston Park is appalling with trains constantly cancelled. The ones that do are packed and often I am left sitting on a dirty floor."

Peter Kyle (Hove) (Lab): I am very grateful to the hon. Lady for securing this debate. I had the pleasure of speaking to one of her constituents today, who told me that the train he now regularly gets to London now is only four carriages long. The problem is not just that some trains do not stop at Preston Park, but that the ones that do stop have only four carriages, so many people cannot get on in the first place. Does she agree that, if the Government are going to prevent the Gatwick Express from stopping there, at the very least they should ensure that every train that stops there is 12 carriages long?

Caroline Lucas: Of course I agree, but I do not want to concede yet that the Gatwick Express might not be restored. That is my big ask from today’s debate: we need those train services restored. The hon. Gentleman is absolutely right that it adds insult to injury, first, to see the Gatwick Express trains fly through Preston Park station pretty much empty and, secondly, to have four-car trains, which, as he says, are simply not enough. Somebody told me today that they had been commuting for 18 years through rail strikes and all kinds of problems, but this is the straw that broke the camel’s back and caused them to give up commuting and their work.

I have raised this issue with the Minister on many occasions. When he wrote to me on 12 July, he suggested that services to Victoria are better since the introduction of the new timetable:

"Before the timetable change, Preston Park received six services into Victoria in the morning peak made up of three Gatwick Express services and three Southern services. Following the timetable change, Preston Park now receives seven services into Victoria into the morning peak, all of which are Southern services."

He ended the paragraph with a spectacularly out-of-touch comment:

"Scheduled journey times have in fact improved since the timetable change, with the average morning peak journey time being around a minute quicker."

The purpose of the debate is to explain to the Minister again why his suggestion that Preston Park services to Victoria are more frequent and faster has gone down like a cup of cold sick with Preston Park commuters. When the seven trains he referred to are not cancelled, a large proportion are full on arrival. As I mentioned, they start at Littlehampton, 11 stops back, rather than at Brighton, just one stop back. I repeat that point, because I am not quite sure it is getting through. Trains are short formed, as the hon. Member for Hove identified, and often have only four carriages, making journeys extremely unpleasant, if commuters can even squeeze themselves on to the packed trains when they arrive.

Crucially, of the seven new services, one arrives in London after 9 am and two arrive after 9.30 am. Those times are too late for the large proportion of commuters, in place of six reliable peak trains to Victoria, three of which were Gatwick Express, we have effectively just four or five totally packed short-formed trains, and on top of that there are chronic cancellations and delays. I want to ensure that the Minister really understands why people who have paid in advance for the premium Gatwick service are incredibly angry and not at all satisfied with his letter.

The solution to the mess cannot be only to address the cancellations and delays, because the base timetable itself is unacceptable. The Minister is aware that Hassocks has four Gatwick Express trains an hour and Preston Park none. That simply does not make sense. The Gatwick Express sails by virtually empty while people who have paid a premium to catch it from Preston Park are making the journey backwards into Brighton to get it—a significant number of them drive to do so.

More than 40 people have replied to a post on the Preston Park train campaign Facebook page, saying that they now have to travel to other stations by car or via other means because the Gatwick Express service no longer runs. It urgently needs to be reinstated. There is no justification for removing the Gatwick Express from that incredibly busy city station while Hassocks, a small town, gets four Gatwick Express services an hour. Gatwick Express must be reinstated at Preston Park, and more trains need to start from Brighton, with enough carriages to meet demand. People have paid a huge amount of money to commute a relatively long way. They need to be able to get on the trains that arrive, and they need to be able to get a seat.

The Victoria service is not the only issue. London Bridge-St Pancras trains have been massively hit with a 43% cut in the morning and a 53% cut in evening peak time. Again, the Littlehampton issue in the morning makes those trains unusable, and in the evening it is complete carnage as none of the 53% fewer trains start from London Bridge, which leads to massive overcrowding. Trains often miss out London Bridge completely because more passengers cannot be fitted on, so the trains and platforms are a serious health and safety risk.

Added to that, there are massive gaps in the timetable to Preston Park, including a 1.5-hour gap between about 6 pm and 7.30 pm. That is a key commuting time, but if people miss the train—or, more likely, the train does not stop or is full—they have to wait 1.5 hours with no service at all. Preston Park commuters want more trains that start at London Bridge, as they used to. Commuters face packed trains when they arrive for boarding, so it is plain that there is demand.

The Minister’s 12 July letter to me showed that he is aware of the huge cuts to Thameslink services from Preston Park to London Bridge, Blackfriars and onwards. He simply said that, before the May timetable change, there were 12 morning peak services to those London stations, and that from 15 July there would be eight. He said that, for people going home, the numbers went from 15 trains before the May change to seven. He had two comments for those affected: first, that journey times are now quicker, and, secondly, that he expects Govia Thameslink Railway to keep the timetable under review.

Constituents are incredulous, as am I. Nearly half their services have been removed and the ones that remain are overcrowded, and telling people who cannot get on trains that the ones that do go are very slightly
faster simply does not cut it. Vague assertions about expecting things to be reviewed are an appalling dereliction of duty. People are losing their jobs over this; they are missing family events, unable to pick up their children on time and looking at moving house. How bad does it have to get before the Government get a grip?

On the issue of demand, there are serious concerns that the footfall at this incredibly busy and vital station has not been accurately measured and taken account of. The Office of Rail and Road has produced statistics for Preston Park, but without barriers it is hard to know how many people are using that station. A lot of guesswork is going on. How confident is the Minister that he has a sound estimate of Preston Park numbers? It would be very interesting if he shared that estimate with us. Not only are there no barriers, so the number of people going through cannot be counted, but when commuters buy their season ticket they often designate Brighton, or even Hove, as their station of origin because it does not cost them any more to do that but it gives them greater flexibility.

I live near London Road station, another Brighton station, but my season ticket is for Brighton, because that allows me to use London Road or any surrounding station. Simply looking at the destination written on the season ticket will not make the Minister any wiser about the number of people using that station. I urge him to look at other ways of counting, perhaps manually if necessary, to demonstrate to him how busy the station is.

In response to the dire impact of the cancellations and delays that have come on top of the slashing of the base Preston Park timetable, the Minister is likely to talk about the new interim timetable of 15 July. However, from my inbox and just a glance at the Preston Park train campaign Facebook page, it becomes clear that that has not solved the problems. Indeed, the campaign analysed the new timetable and found that there are still severe cuts and the service remains, in commuters’ words, “catastrophically inferior”. The campaign explains that there are now even fewer trains or connections to the hub of Haywards Heath, making travel to all destinations more difficult and time consuming. At night, there is often only one Preston Park train an hour from Victoria; if trains are missed there are no timely connections at Haywards Heath or Brighton. My inbox is full. Last Thursday—19 July, after the new timetable came into effect—a constituent wrote to let me know:

“It has been consistently awful since I last wrote. Yesterday the 08.11 to Cambridge was cancelled without explanation so all passengers at Preston Park could do was watch as two Gatwick Expresses whizzed by. Getting home in the evening is still a game of chance.”

Even when passengers get on a train, their station might be skipped. Following such an infuriating experience at the end of last week, one constituent wrote:

“How do you expect people to be able to run lives, collect children, arrive for NHS, police, rail and other security shifts, be punctual for meetings, keep businesses viable?”

I would like to hear the Minister’s response. I must ask him, when he does answer, not to suggest that things are getting better on other bits of the network, as that is tantamount to saying that it is fine for Preston Park to be sacrificed in the interest of benefits somewhere else. It is not fine for my constituents to be sacrificed in that way.

Preston Park is considered a station for which the higher amount of one month’s season ticket cost can be claimed as compensation for recent disruption. However, that is only for those whose season tickets start at Preston Park and are valid for Thameslink services. As I mentioned, plenty of people have season tickets from Hove, Southern-only season tickets or other types of ticket. They will be left out of that compensation, even though they start their journey at Preston Park. I urge the Minister to find a way to ensure that they too are eligible for compensation. Passengers are often advised at rail offices to buy their season ticket in a way that is more flexible, not specifically for Preston Park. As a result of doing so, they will lose out.

Why should my constituent, who is a low-income freelance worker who visits London only two or three times a week, be left out of the compensation? Many different people—men and women—work part time, but a disproportionately large number of those who work part time are women, such as those who go back to work after maternity leave. Has the Minister considered that the season-ticket-only system of compensation he has devised is discriminatory, particularly since we do not yet have part-time season tickets in Brighton and Hove? It cannot be right for non-season ticket holders to be excluded; there is no principled basis for that.

This debate is not long enough for a discussion on the shambles of our fragmented and privatised railways, which should be reunited and put into public hands, but I will say something specific to the dog’s breakfast of the GTR franchise. As Ministers well know, the word “franchise” is utterly misleading in this case. GTR has a management contract and Ministers are meant to be overseeing it. The Rail Minister said last week:

“There is too much buck-passing, and we want to bring that to an end.”—[Official Report, 18 July 2018; Vol. 645, c. 417].

I can only agree, but to follow that logic the Secretary of State himself should resign. If that is what was meant, I would certainly support it.

I want today’s debate to be a constructive demonstration of what real democracy looks like: hundreds of people contacting their MP, and getting together to campaign to seek resolution and accountability over something that is drastically affecting their everyday lives. A very large number of passengers want to hear the Minister’s response to their very reasonable demands, which include a reinstatement of Gatwick Express trains, for trains to and from Preston Park to have adequate capacity when passengers board, no gaps of more than 15 minutes in peak time services, investment in the stations and trains to be fit for commuting.

I end with a request for the Minister to provide solutions, not excuses. I want to hear that there will be an end to the ongoing Preston Park train nightmare.

11.16 am

The Minister of State, Department for Transport (Joseph Johnson): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate the hon. Member for Brighton, Pavilion (Caroline Lucas) on securing this important debate on rail services to and from Preston Park. She is a powerful champion for her constituents. This debate is the latest in a number of representations she has made to the Government on their behalf.
I certainly understand the frustration and immense distress that the hon. Lady’s constituents have experienced in recent weeks and months. The Government are alive to that and to all the concerns that she has raised on their behalf. They have not been well served by recent developments on the railways, and the Government are working hard to ensure that we see improvement for them, as a result of not just the timetable change introduced on 20 May but the interim timetable introduced on 15 July. Although there is still a considerable way to go, I hope that her constituents in Preston Park will have begun to see positive changes in the week or so that has passed since then. We will hold GTR to account for continued and accelerated improvement over the weeks to come.

The new timetable that came in on 15 July is by and large performing well so far. The last few days have certainly demonstrated that, but the Department for Transport is looking at this extremely carefully. We will hold the operator and its new chief executive to account for continued progress.

With respect to Preston Park, passengers should see some benefits, including a very significant reduction in on-the-day cancellations, which were an unfortunate and unwelcome feature of the aftermath of the introduction of the timetable on 20 May. On-the-day cancellations are sharply down. The public performance measure has improved considerably across Thameslink and Southern services from Preston Park. Although it is not yet where it needs to be, it is a significant improvement on where it was in the immediate aftermath of 20 May. The Thameslink Brighton main line is now more or less back to pre-20 May 2018 levels of performance. As I said, the Department is monitoring the rate of improvement by GTR and will hold it and its new chief executive to account in the coming weeks.

On compensation, the Government have said on many occasions that the disruption that Thameslink and Great Northern passengers have suffered is unacceptable. Compensation is part of the plan to put things right. We will hold the operator and its new chief executive to account for continued progress.

Caroline Lucas: Will the Minister address the point that there are people who are not season ticket holders because they work part time? There are a lot of flexible workers in Brighton who do not necessarily get up to London every day but none the less need to be there on the days they do go. Simply saying, “Use Delay Repay,” does not address the fact that, as I understand it, if a train is cancelled rather than late, they cannot use Delay Repay. Will he look at ensuring that those part-time workers—particularly women—have some way of getting more compensation than he describes?

Joseph Johnson: Let me correct the hon. Lady. Passengers are entitled to claim Delay Repay against cancelled services—that very much is possible. On her broader point about part-time workers and those who do not have season tickets but travel regularly, our priority has been to get compensation out fast using a model that was already up and running—namely, the model that was used for the Southern disruption of about 18 months ago. That was the best way for the Department to get compensation out quickly to the people most affected by the disruption. As the Secretary of State has said, we are looking carefully at the logistics and affordability of compensating other groups of passengers. The logistical challenges of doing so when there is not a season ticket to look at as evidence of regular travel to and from work should not be underestimated.

The Department has not just compensated affected passengers; it is also looking to ensure it learns all the lessons from what has happened, and it has commissioned two reviews into what went wrong with the implementation of the 20 May timetable. The independent Glaister review by the chair of the Office of Rail and Road is under way. That seeks to understand all the factors that led to the disruption following the timetable change. Within the Department, we have also started a hard review of the franchise to establish whether GTR has met, and continues to meet, its contractual obligations.

I turn to the core of the hon. Lady’s remarks: the pattern of services to and from Preston Park. I understand that some passengers would prefer to have the choice of travelling on either Gatwick Express or Southern services.
However, the timetable change was designed specifically to bring about improved performance on Southern services, and having a regular and repeating pattern of services during the peaks is important to making that work. That is why Preston Park now receives a half-hourly Southern service rather than the mixture of Gatwick Express and Southern services it previously received.

Caroline Lucas: Does the Minister not concede, though, that Preston Park passengers are worse off? Before, at least Southern trains started in Brighton—they were not already full—and passengers had the option of taking the Gatwick Express. The service they are now offered is massively worse. As I said, some trains arrive too late to be useful to commuters, no Gatwick Express trains stop at all, and the others start in Littlehampton and are full.

Joseph Johnson: I certainly recognise the hon. Lady’s points about short formations and crowding on some Southern trains as the result of the knock-on impact on Southern of disruption elsewhere. Trains must have the capacity to meet demand, and GTR’s performance regime, which the Department monitors very closely, includes capacity and short formations. Where they happen, short formations are counted by the Department as a fail under the performance regime, which we keep under close scrutiny. However, the consistent calling pattern that results from moving to just Southern services rather than the mixture of Gatwick Express and Southern services is designed to bring about a more reliable and resilient service in the long term.

As I wrote in my letter to the hon. Lady, the frequency of services to Victoria has remained roughly the same compared with the pre-May timetable. Before 18 May, Preston Park received six services into Victoria in the morning peak, made up of three Gatwick Express services and three Southern services. Following the timetable change, services from Preston Park have increased—her constituents now receive seven services into Victoria in the morning peak, all of which are Southern services.

Caroline Lucas: Will the Minister give way?

Joseph Johnson: Let me finish this point. The hon. Lady complained that the journey time was just a minute quicker, but ultimately, when the service is up and running, that extra minute will be welcomed by passengers.

There is a similar picture in the evening peak, with the same number of services from Victoria to Preston Park as before the timetable change and a very similar average journey time. Although the request for another stop to be introduced on that service is reasonable, the service is already under significant pressure to maintain punctuality. Extra stops would increase that pressure and lead to additional delays, to the detriment of passengers using the service.

Turning to Thameslink, before the May timetable change Preston Park received eight services to Blackfriars and four to London Bridge in the morning peak. In the interim timetable, there are eight Thameslink services in the morning peak from Preston Park to London Bridge and Blackfriars, and onwards through the Thameslink core. Although, overall, that represents a loss of three Thameslink services compared with the pre-May timetable, it provides Preston Park with the same number of Blackfriars services and four additional London Bridge services. Before the May timetable change, there were six services from Blackfriars and nine from London Bridge in the evening peak. In the interim timetable, seven evening peak services make that journey. That provides an additional service from Blackfriars but two fewer services from London Bridge.

Journey times from Preston Park on Thameslink services are now quicker than they were before May. Once GTR has stabilised performance, it will reinstate the additional service in each peak that was removed as part of the interim timetable. In addition, the Littlehampton to Bedford service and the Brighton to Cambridge service are currently one train per hour, but the next wave of the Thameslink programme will bring one additional service on the Brighton to Cambridge route each hour all day, as well as additional services on the Littlehampton to Bedford route. That was originally planned for December 2018, but it will now be delivered once GTR has delivered the May timetable as planned.

I appreciate the hon. Lady’s constituents’ request for services to start from London Bridge. However, one of the key benefits of the Thameslink programme is that it provides passengers with direct services through London Bridge to Blackfriars, City Thameslink, Farrington and St Pancras. In many cases, that provides an alternative route for passengers who would previously have changed at London Bridge to connect with the London underground.

Caroline Lucas: Will the Minister give way?

Joseph Johnson: No, I am going to conclude my remarks.

I expect GTR to keep the timetable under review to identify any particular pressures and make amendments as appropriate if they are possible. However, GTR will be able properly to assess the viability of the timetable only once it is performing reliably, and ensuring that happens is our overriding priority. I will ask for an update from GTR on its assessment of the performance of the interim timetable and its impact on Preston Park passengers ahead of the hon. Lady’s meeting with the operator on 23 August.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.
Wylfa Nuclear Power Project: Taxpayer Liability for Safety

[Mr Laurence Robertson in the Chair]

2.30 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): I beg to move,

That this House has considered taxpayer liability for safety at the Wylfa Nuclear power project.

It is a pleasure to serve under your chairmanship, Mr Robertson. I must say that when my alarm went off at 5.15 this morning, I was absolutely delighted to be getting up to travel here and deliver this speech. I am sure everyone else here in the Chamber is equally keen to be here, even though it is the last sitting day. I am equally sure that the power of my debating skills and the points I am going to raise will not only make the Minister ponder when she gives her response, but lead to changes in Government policy over the summer recess, so I look forward to some announcements when we come back.

To get to the main point of the debate, we must first look at the wider picture. We must look at the history and question why the Government are hellbent on new nuclear power stations and why the official Opposition appear to be in such unison with them. Nuclear energy was the future at one time; it was the low-carbon technology at a time when all other methods of generation apart from hydro were carbon based. However, while nuclear has been responsible for helping to keep the lights on for decades, keeping the lights on has come at a price.

We have a legacy of contamination, and the National Audit Office estimates that the clean-up will come in at £121 billion by 2020. The Magnon Swarf storage silo, in operation since 1964, contains waste sludge that is corrosive and radioactive, which is expected to pose a significant hazard until 2050. We have many more sites still to be decommissioned, which will lead to further increases in taxpayer burdens. According to Dr Paul Dorfman of the Energy Institute in London, the Nuclear Decommissioning Authority estimates that clean-up costs for the next 120 years will be in the region of £190 billion to £250 billion. That is some legacy to bequeath future generations.

On reflection, it is clear that the privatisation of the nuclear industry has proven to be another case of privatising the profits while renationalising the liabilities associated with the industry. We still do not know what to do with radioactive waste other than storage. We have a long-term problem looming because of the increasing volume of waste to be stored and managed, so why on earth do we want to create further liabilities with the proposed new power station at Wylfa?

We once thought asbestos was a wonderful heat-resistant product, but once we learned about the health risks associated with it, we stopped using it. Why, then, when we know the problems with nuclear, do we want to repeat the past mistakes associated with it? The UK Government tell us that we need more nuclear as a low-carbon means of energy generation, and Wylfa is one of eight sites proposed for a total programme of 13 new reactors. Yet renewables already provide a bigger proportion of electricity than nuclear within the UK, and in Scotland the divide between nuclear and renewables is even greater. While the nuclear process may be deemed to be low carbon, I suggest it is anything but green, given the toxic legacy I have already outlined.

Why do we want to commission more at exorbitant cost? The cliché is, “We need the baseload that nuclear provides,” but as far back as 2015, the chief executive of National Grid argued that the baseload concept was outdated. He added that large-scale nuclear reactors were also an outdated concept and that the future would be driven by “demand side response and management”.

Albert Owen (Ynys Môn) (Lab): I will come on to Wylfa Newydd if I catch your eye in a moment, Mr Robertson. I just wanted to say that the statement that the hon. Gentleman read out from the previous chief executive of National Grid has been put to bed by the new one. Indeed, even the previous chief executive said that we needed centrally located energy sources, or baseload, to continue. The hon. Gentleman has taken a very small quote from a very long statement from a previous National Grid chief executive. Current National Grid policy is certainly that nuclear is strong baseload.

Alan Brown: Clearly, we can both tear apart quotes, but the bottom line is that that is what the then chief executive of National Grid said. I was just going to come on to a quote from Dr Mark Diesendorf, of the University of New South Wales, in Australia. He stated that the assumption is “that nuclear power is a reliable baseload supplier. In fact it’s no such thing. All nuclear power stations are subject to tripping out for safety reasons or technical faults. That means that a 3.2GW nuclear power station has to be matched by 3.2GW of expensive ‘spinning reserve’ that can be called in at a moment’s notice.”

He further states: “The assumption that baseload power stations are necessary to provide a reliable supply of grid electricity has been disproven by both practical experience in electricity grids with high contributions from renewable energy, and by hourly computer simulations.”

Therefore, the argument that Wylfa and other stations are required to supply baseload is flawed.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): On the point about baseload, does the hon. Gentleman not recognise that the whole point of managing a baseload with nuclear power stations and reactors is that they are organised to be taken offline in a scheduled programme of maintenance? In the case of Torness, it almost broke the world record for a continuous run of 495 days before being taken offline. Surely that is a huge achievement for engineers in Scotland?

Alan Brown: The hon. Gentleman tried to worm in a compliment to engineers in Scotland at the end of his intervention. Of course I welcome the skills of engineers, including nuclear engineers—I have no doubt that the guys doing that work are highly skilled engineers. I still do not agree with the concept that the baseload is required from nuclear. If we think about Hinkley power station, we were originally told that, because of the baseload required, if it was not commissioned by December 2017, the lights would go out. We are way beyond that deadline, since Hinkley will not come on stream until closer to the end of this decade, and we are still managing our electricity supplies. There are ways to manage baseload through alternate supplies, which I will come on to.

The only other reason I can see for this headlong rush into more nuclear is the equally outdated concept of the UK being a world leader in a particular sector, but that will come about because of other countries pulling out of the nuclear sector. The US is not building
new nuclear, Japan has changed tack and Germany has pledged to phase out new nuclear. It seems that the UK will be a world leader in propping up the nuclear sector for reduced costs. In recent Westminster Hall debate on the nuclear sector deal, the hon. Member for Bolton West (Chris Green) stated that we should not be reliant on foreign countries for our energy, but with these new nuclear proposals, including Wylfa, that is exactly what we will still be: reliant on foreign countries for their expertise, knowledge and supply of goods.

I suggest that the UK might be the world leader in bad nuclear deals. Returning to Hinkley, we have a 35-year agreement at a strike rate of £92.50 per MWh, when offshore wind recently came in at a strike rate of £57.50 per MWh, and that £57.50 is only for a 15-year tenure. The Hinkley deal is so bad that it was criticised by the NAO as bad value for money. Part of the problem with Hinkley was the risk and the financial exposure to private investors, allied with the fact that the technology for the EPR, or European pressurised reactor, has still to be proven, with all existing EPR projects under construction still facing delays and cost overruns.

As investment in nuclear around the world falls, the UK has planning for 11 reactors on the go and two reactors under construction at Hinkley. In its latest report, released recently, the National Infrastructure Commission states that there should be a maximum of just one new nuclear contract signed before 2025 because of the reduced costs of renewables and the other emerging technologies, including the massive decrease in the cost of batteries. Its report also illustrates that, over the years, the cost of nuclear has not decreased, debunking another UK Government aspiration that continually commissioning new nuclear such as Wylfa will somehow reduce costs. Has the Minister assessed those comments, and will the Government provide a response to the report in due course?

Wylfa is also a different technology from Hinkley, and other proposed sites have yet further different technologies. It therefore stands to reason that, when employing those different technologies, the inherent price will not be brought down, because we will not benefit from repeat constructions and using the skills gained during one project on another. There will also be site-specific constraints and considerations.

This backdrop brings us directly back to the Wylfa proposals. Getting direct information from the Government remains difficult due to their claims of commercial confidentiality. However, the private developer, Hitachi, has clearly had difficulties with the costs and risks associated with the project, which has led to the suggestion of the Government taking a direct £5 billion stake. In principle, a direct Government stake in key infrastructure projects makes sense, as they can borrow more cheaply than private investors. However, in this case, it seems to be part of another, wider blanket cheque-type agreement, with the Government desperate to get the project moving.

It is not only me using the blanket cheque analogy. Will Gardiner, chief executive officer of Drax Group, said:

“I am not a fan of sweetheart deals, the government sitting down with Hitachi and writing them a cheque. That’s not good economics”.

On the economics, we have heard reported strike rate figures of £77.50 per megawatt-hour quoted for Wylfa. That reduced rate, compared with Hinkley’s, is on the back of the £5 billion stake. While the Government are trying to keep information under wraps, managing to learn anything is still a bit of a smoke-and-mirrors game.

Under the Paris and Brussels conventions, a nuclear operator is liable for any nuclear incidents. However, that liability is capped at £1.2 billion, which is way below the cost of a catastrophic incident—the Fukushima incident ran into the hundreds of billions of pounds—so the cap is arguably too low. Hitachi has already had two serious safety breaches in other nuclear developments, and was fined $2.7 million by the US Government for one of them. Apparently learning from that, Hitachi is resisting taking on liability for nuclear incidents at Wylfa. We do not know its exact proposal, but it marks a departure from current agreements, where the operator should be responsible for health and safety and attendant risks and liabilities.

The Times reports that Hitachi “won’t pay” for nuclear accidents at Wylfa, based on Nikkei reports that some of Hitachi’s directors wanted “safeguards that reduce or eliminate Hitachi’s financial responsibility for accidents at the plant”.

It also marks a departure from the “polluter pays” principle. It is critical that the UK Government do not sign up to any such crazy proposals. I hope the Minister provides real clarity on this matter and does not hide behind commercial confidentiality.

We know the Prime Minister hit the pause button for Hinkley Point C to allow for a cost review. Despite that review, we somehow then caved in and accepted what the National Audit Office has subsequently confirmed is a bad deal. Why do the Government appear to be pulling out all the stops again to get Wylfa over the finishing line—by which I mean the agreeing of the contract? We know full well that the project will invariably end up over budget and delayed, just like every other ongoing nuclear project in the world.

Another argument in favour of Wylfa and other nuclear projects is the jobs they will create. I agree that these high-skilled jobs are vital for the localities with existing power stations, and I understand Members lobbying to maintain—or to create further—high-skilled jobs. However, those jobs should not come at any cost. Indeed, paragraph 23 of the Welsh Affairs Committee’s July 2016 report, “The Future of nuclear power in Wales”, explicitly states:

“We recommend that the Government negotiate a strike price for Wylfa Newydd below that agreed for Hinkley Point C and seek a price that would be competitive with renewable sources, such as on-shore wind. The Government should not continue with the project if the price is too high.”

It seems, based on that recommendation, that the Committee must by default be against this project continuing, as it clearly cannot be competitive compared with onshore wind. Has the Minister consulted the Committee on the recent developments in the likely cost of Wylfa?

I would not want to see job losses anywhere. I represent a deindustrialised constituency. Over the years, we have lost coal mining and many different manufacturing jobs. However, we can spend money more wisely to create jobs. Wylfa will cost up to £20 billion. The new nuclear legacy programme will cost circa £100 billion, and we have spent nearly £120 billion in decommissioning costs. Departing from civil nuclear projects, the successor programme to replace the Trident submarines will have whole-life costs of more than £200 billion, with future decommissioning costing up to £250 billion.
Those are astronomical sums of money, and we should be able to think how to spend them more wisely. We could have proper infrastructure investment and a targeted jobs and manufacturing strategy that would create more jobs and a more balanced economy, and we will not have the toxic legacy of nuclear. By the time Hinkley and Wylfa are constructed, with their anticipated 6 GW capacity, we could build something like 20 GW of offshore wind capacity. We know that the costs of batteries are plummeting, and renewable costs have also plummeted.

We should invest in carbon capture and storage. I welcome the Government’s latest report on CCS, but we should never have pulled the previous £1 billion allocation. How ridiculously small does that £1 billion seem compared with the costs of nuclear I have outlined? CCS will also allow for the decarbonisation of gas and biomass electricity generation and will open up the potential for a supply of zero-carbon fuel, in the form of hydrogen. However, each massive undertaking for nuclear is to the detriment of investment in renewables. When the Government give undertakings and risk guarantees for Wylfa, they reduce their scope to make similar guarantees for emerging technologies.

On jobs not coming at any cost, we also have to appreciate the potential health risks. As outlined by Dr Ian Fairlie, an independent consultant on radioactivity, the risks of leukaemia in nuclear workers are double those found in a 2005 study, and there is “strong evidence of a dose-response relationship between cumulative, external, chronic, low-dose, exposures to radiation and leukaemia”. He also states: “When nuclear reactors are refueled, a 12-hour spike in radioactive emissions exposes local people to levels of radioactivity up to 500 times greater than during normal operation”. He states in his blog that the research behind these findings is “impeccable”, as it was based on “a huge study of over 300,000 nuclear workers adding up to over 8 million person years, thus ensuring its findings are statistically significant”.

I suggest we pay heed to such research.

As I have said, the cost legacy is bad enough, and we still do not have a solution to the long-term disposal of nuclear waste, so it is absolute folly to sign a deal in which the taxpayer takes on unlimited risk for a nuclear project. This could prove to be the worst deal yet unless the Government change tack soon.

### 2.48 pm

**Albert Owen** (Ynys Môn) (Lab): It is always a pleasure to serve under your chairmanship, Mr Robertson. On this last day of term, I welcome the opportunity to highlight the benefits to the economy of new nuclear power and low-cost carbon, and also to promote Wylfa Newydd, which is in my constituency. The hon. Member for Kilmarnock and Loudoun (Alan Brown) did not notify me that he would discuss it; I saw it on the Order Paper. I think it is custom to do so, but I will let it go for now, because I will have the opportunity to deal with many of the issues that he raises.

I recently wrote a booklet, called “Resetting the Energy Button”, for a number of reasons. Its purpose is to show how my constituency, the Isle of Anglesey, can play a major role in the move forward towards a low-carbon economy. Ynys Môn has a proud history of electricity generation. It has the natural resources, it has an experienced workforce and it very much mirrors the British Isles.

**The Minister for Energy and Clean Growth (Claire Perry):** Will the hon. Gentleman be so kind as to send me a copy of his booklet? I am in need of some good holiday reading for the summer.

**Albert Owen:** Absolutely. In fact, I will also send one to the Chair, because I know that he is interested in this subject. Indeed, I should send some to the entire Scottish National party group in the House. I will do that over the summer. That is a promise.

Many energy developers have recognised the potential of the Isle of Anglesey to contribute to this major investment not just in new nuclear, but in marine energy and other technologies. You will know, Mr Robertson, from the time that we have spent together in the House that I am pro-renewables, pro-nuclear and pro-energy efficiency. I see no contradiction in that: I think that all three are needed if we are to meet our climate change goals and reduce emissions.

In the decade from 2001—when I entered the House—to 2011, the House of Commons was moving towards consensus on this issue. That was important. I accept that it was not universal, but there was a view that we needed a rich and diverse energy mix and that new nuclear was part of that mix. I was very proud to vote for the Bill that became the Climate Change Act 2008, because that was very pioneering of the UK; we were the first nation to introduce such a law. However, to achieve the objective, we need rich, diverse energy. We need base-load, and I will argue with the hon. Member for Kilmarnock and Loudoun that nuclear does provide base-load. He talks about offline, but this is factored in. Base-load is important, as is the intermittent status of renewables and, in particular, wind. He talks about figures, but I point out to him that we have had a very hot period over the last 28 days, and wind energy, offshore wind, contributed just 3% for that period. The rest came from base-load such as nuclear; the nuclear percentage went up in that period. I am therefore arguing convincingly for both—that we have the intermittent energy that we need in hot periods, but also, when we have cold periods, that we have the full load that is provided by nuclear and renewables. We need that balance.

New safe nuclear generation started in my constituency in 1963. Indeed, my father worked on the construction of the first Wylfa power station. The hon. Member for Kilmarnock and Loudoun had family who were in the nuclear industry; he told us in a previous debate that his brother-in-law was. Many families, across the United Kingdom, have benefited from the high-skilled, long-term employment opportunities that nuclear offers. The nuclear power station in my area was opened in 1971 and it produced up until the date of closure, which initially was 2010; that was extended to 2015. We are talking about 44 years of generation. I mention the jobs issue, because many of my peers at school left school and worked in the nuclear industry at Wylfa for all their working lives. Very few other industries can offer the longevity of employment and quality of jobs that nuclear brings; indeed, jobs for life are very rare.
Construction jobs are also important. In the move forward to Wylfa B or Wylfa Newydd, as it is correctly known now, we see an important uptake of skills for nuclear engineers and apprentices, and many people are training for the construction jobs—plastering, building, welding and so on. That is hugely important for areas on the periphery of the United Kingdom, such as at Wylfa in my constituency and, indeed, in Scotland. Scotland has benefited from nuclear over many years and still does today; £1 billion of gross value added comes from the nuclear sector—the two power stations. I believe—I will take an intervention if I am wrong on this—that the life of the two nuclear power stations has been extended by the SNP Government. Safe generation of nuclear energy is hugely important in Scotland, Wales and England. If we did not have it, we would be importing nuclear at this time of year either from England into Scotland or from France into the United Kingdom.

Alan Brown: The hon. Gentleman invited an intervention, and yes, he is correct: under the SNP Government, permission was given to extend the life of Hunterston B. Once an asset is there, if its life can be extended safely, we may as well do so. We will still have to deal with the toxic legacy at some point, but if we can make use of the asset in the meantime, we will do, so we are not absolutely blinkered.

Albert Owen: I understand what the hon. Gentleman says, but there is very little logic in that. If it is safe nuclear generation, it is safe nuclear generation. I accept that numerous previous Governments, of all colours, have not dealt with the legacy of nuclear waste. That is a fact, and we need to deal with it. But with new nuclear, the cost of decommissioning and of waste will be factored into the cost, which the hon. Gentleman did not explain; he did not take that out. The proper arithmetic of generation, of decommissioning and of waste will be part of the deal.

I do not know what the deal will be, but I do know that there will be some 850 jobs for the 60-year life of the new nuclear power station on Anglesey. That is huge for the local, regional, Welsh and UK economy. I also know that, at the peak, there will be 8,500 construction jobs. Again, that is a big figure. We have managed big projects in the past. I am thinking of the building of the nuclear power stations at Wylfa and Trawsfynydd and, indeed, the hydro at the Port Dinorwig storage facility. We have in north-west Wales a good legacy of these jobs, and we look forward to this project. Importantly, we are on the third round of apprentices. By the time Wylfa comes on board, there will be some 700 apprentices who have been trained in the area. Again, those are highly-skilled jobs. They have had the opportunity not just to train in this country; many have been over to Japan and had the lifetime experiences that go with that.

The nuclear power station Wylfa Newydd has the support of Welsh Government. It has the support of the local council, which is Plaid Cymru led; it has the support of the Plaid Cymru Assembly Member; and it has my support. It has cross-party political support. That is important because of its potential.

The hon. Member for Kilmarnock and Loudoun is absolutely right to talk about the cost to the taxpayer of nuclear and other technologies. I have supported in the House of Commons a number of subsidies—I do not consider “subsidy” to be a dirty word—for offshore wind. When the cost was more than £100 per megawatt-hour and some people were arguing that we should not be doing it, and that the cost was too much, I argued that by investing at that stage we would be able to bring costs down, and that has happened. It has happened with onshore wind, with renewables obligation certificates—ROCs—and with solar, and it can and will happen with new nuclear as well. As I have said, I support this because we need that boost.

As the Minister will know, I argued—but was unsuccessful—for the Swansea Bay barrage, because the same principle applies to marine energy. We need to invest now for the future and the price will come down. We need a special, ring-fenced costing for marine energy and I will certainly write to the Minister, to the Secretary of State for Business, Energy and Industrial Strategy and to the Chancellor of the Exchequer to get that into the autumn Budget, because it is important; we are missing an opportunity with marine.

What I am establishing here is that I am pro-nuclear and pro-renewables and that my judgment has been to invest in them all. That means public—taxpayer—liability initially. We can look at oil, gas and electricity. They were 100% supported by the state when they were nationalised industries, and many new stations that came on board were given that subsidy when they were producing energy.

The statement by the Secretary of State in the House of Commons on 4 June was an important step forward for Wylfa Newydd, for the nuclear industry and for British industry in general. As I said, I do not know the details, but I do know that the statement confirmed that Wylfa Newydd would produce some 6% of electricity going forward. Electrification of surface transport is the big challenge for this country, and that is in addition to the built environment. We need that low-carbon extra resource, which I know Wylfa Newydd can produce.

I do not know the details, but it has been confirmed that the model will be different and, as we see from reading the “Nuclear Sector Deal”, the cost will be less than that of Hinkley. That is for sure, because when the first array of offshore wind was produced and the cost was much higher, we argued that it would come down. The nuclear sector deal asks for a 30% reduction in costs, and that is an agreement between industry and Government. It is important that Wylfa Newydd will come in at a much lower cost than Hinkley; we will learn the lessons of Hinkley. The Hitachi deal involves private money, and Government money from the UK—we do not know how much, and I doubt that the Minister will be able to help us at this stage, because of commercial sensitivity—and, importantly, Japanese agencies and their Government will be supporting it.

Alan Brown: I appreciate the hon. Gentleman saying that it is a different model. Does that mean that the costs cannot be compared directly to Hinkley? If the Government are taking on more liabilities and taking a stake in the project, we cannot just say, “Well, it costs less than Hinkley in terms of strike rate,” or whatever.

Albert Owen: No, the important thing to remember is that this is proven technology. The reactors that will be used have been produced—four in the world—on time and on budget, and they are effective. That is the
difference with the Hinkley model, which has not been used before, and the risk is therefore a lot less. I have been to Japan and seen this technology in place. I know there have been incidents in Japan, but a delegation from Anglesley did go there and see it.

Sadly, this debate is about ideology. It is not about a low-carbon future, but purely the dogma of the SNP, which wants to close down nuclear per se. It is using the Wylfa argument to do that. The SNP is absolutely wrong. I want to see a balanced, diverse energy mix. I want to see the case for new nuclear, new renewables, jobs and skills, and research and development, so that the UK can become a leader in tackling climate change.

In conclusion, I wish hon. Members a happy summer recess. If they really want to find out about Wylfa, they should come to Anglesey. It is a great place to work, as I have indicated, for many people who work in the industry and are associated with the industry. I can assure hon. Members that it is also a great place to live, and it would also be a good place for them to visit. I am proud that Anglesey is ahead of the game in pioneering energy development.

3.1 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate the hon. Member for Kilmarnock and Loudoun (Alan Brown) on securing this debate. This is an important and pressing issue for the UK, because, as we have heard, all of Britain’s currently operational nuclear reactors are due to go offline by 2030. So there is a pressing need to address this energy question.

In Scotland, the nuclear energy sector is worth £1 billion a year. Although 1,000 people are directly employed in Scotland’s two nuclear power stations, which have four advanced gas-cooled nuclear reactors installed, 12,000 people are indirectly employed, through a large supply chain encompassing engineering and design, which is a huge benefit to the Scottish economy. This is, therefore, a pressing policy issue for not only the whole UK but Scotland in particular.

I find it extremely dismaying that there is this dislike of nuclear power production, when the sector presents so much opportunity for Britain to re-establish a lead. After all, Britain was the world’s first generator of civil nuclear power. That is, unfortunately, an industrial lead that we have lost through lack of planning and lack of rigour in the 1990s. We can, hopefully, re-establish that lead with a bit of imagination and boldness.

I have the pleasure of serving on the council of the Institution of Engineers and Shipbuilders in Scotland. In 2015, we presented a lifetime achievement award to Sir Donald Miller, inducting him into the Scottish Engineering Hall of Fame. He is Britain’s foremost electrical engineer and was almost singlehandedly responsible for the design and development of Scotland’s entire post-war electrical generation and supply system.

I was interested to hear what Sir Donald Miller had to say about Scottish energy generation today. When he was presented with his award, he delivered a speech, which I feel is worth quoting at length. He mentioned that when he retired as chairman of the South of Scotland Electricity Board, which is now known as ScottishPower, in the early 1990s, he could take a great deal of satisfaction from the fact that “we could claim to have one of the most secure and cost effective systems world-wide. Some 60% of our energy was from nuclear and with the hydro we could, incidentally, also claim to be one of the greenest systems with the lowest carbon emissions... The coal fired station at Longannet”— which was recently decommissioned and was groundbreaking when it was built— “was used mainly for back up and profitable exports to England for the benefit of Scottish consumers.”

Today we see a very different picture. The decommissioning of our conventional generation is fast approaching”— indeed, it has already approached— “and yet there are no plans to replace the generating capacity at Longannet or the nuclear. Even more incomprehensible is that we shall, in a few years, be importing power for much of the time from the new nuclear station to be built just over the border in England at Sellafield. You may wonder just why Scotland (birthplace of so much engineering)— a pioneer of nuclear energy— “should be importing power we could well generate here, exporting highly skilled jobs in the process. And moreover ending up with the least reliable and insecure electricity supply that we have seen for a hundred years. And this at a time when electricity has never been more important in the lifeblood of modern society.

We seem to be drifting into this situation with our eyes shut; just hoping it will be all right on the night. But with no electricity for twenty four hours (and perhaps even longer) it will seem a very long night indeed.

No engineer would set out to build a complex structure without a detailed plan and an electricity supply system is no different in this respect from a road network or an aircraft carrier. But there is no plan and nor is there any significant engineering input into the main decision making.”

That is a chilling statement, coming from someone of such repute, about the current state of Scotland’s energy system. That drives me to understand that there is an urgency here that we are not recognising but that we must address with imagination. The Scottish Government have been found utterly wanting for their lack of willingness to embrace new technologies when it comes to nuclear energy.

I have had the pleasure of twice visiting Torness nuclear power station, where the two advanced gas-cooled reactors are situated. The great tragedy of that advanced gas-cooled system is that the entire power station is limited by the life cycle of the reactor. The infrastructure around the reactors is highly modern. It is a great shame that, in 2030, infrastructure that could continue operating for many decades afterwards has to be closed and dismantled, because the reactors themselves cannot be moved and dismantled safely without that whole system being shut down.

Yet, there are emerging technologies that offer great opportunities, such as small modular reactors, which Britain will potentially pioneer, with Rolls-Royce in the foreground. I am hopeful that that is something that Scotland can look at and embrace. Not only can we secure the sector, which, as we know, is worth £1 billion and 12,000 jobs, but we can achieve so much if we are on the front foot. When I was working for BAE Systems at Govan shipyard, we looked at how we could develop and manufacture small modular reactors in the shipyard, thus sustaining not only nuclear supply, but our shipbuilding industry. There are huge opportunities for coastal locations.
Albert Owen: I was pleased that the Government launched the nuclear sector deal in Trawsfynydd. Trawsfynydd is a decommissioned station, but it has the infrastructure in place, and it has a community that understands and accepts nuclear energy for the future. I believe that putting the two together will benefit those communities and the whole of the UK.

Mr Sweeney: I thank my hon. Friend for that timely intervention. We have to think about this outside of these silos of energy generation. Although we want to decarbonise electricity in the UK, which is a laudable and vital aspiration, if we are to tackle the problem of climate change, it is critical that we recognise that nuclear has to be part of that mix.

Renewables, although we hope that they will eventually substitute all energy generation in the UK, are simply not mature enough, in terms of their reliability, to deliver output that is secure enough. The variability of wind is proving to be problematic. July’s wind energy is 40% lower compared with the same period last year. That is simply not sustainable enough for us to generate reliable energy sources in the UK. We have to look at other technologies, and nuclear presents an opportunity. We are not talking about rebuilding advanced gas-cooled reactors, which was a technology developed in the 1960s—it was advanced for the time, but is simply obsolete today. We are not talking about rebuilding that, with all the legacies of toxicity and problems with waste disposal that were mentioned, although I have to say that the advanced gas-cooled reactor fleet in the UK is a global benchmark for safety. I do not think there are any substantial risks associated with the advanced gas-cooled reactor fleet—it has had a tremendous safety record in the UK, which is a great triumph of British engineering.

We have to approach this with an industrial strategy; that is where we have to grip this. We are talking about shipbuilding and energy generation. All of those things can be linked to deliver a huge industrial and economic benefit for the UK.

Alan Brown: The hon. Gentleman is talking about emerging technologies—if new nuclear is an emerging technology. I presume he would welcome investment in carbon capture and storage in Scotland, and investment in tidal. The Scottish Government are not saying no to nuclear and no to new technologies; they are going to welcome wider technologies that are completely renewable and that do not have the potential toxic legacy of nuclear.

Mr Sweeney: That is an entirely legitimate point to make. We want to push on all fronts. We want Britain to be leading the world on all fronts. That requires investment in battery technology, where we have a huge disruptive opportunity. Let us push on that front. Let us push on carbon capture and storage. Again, the problem is that we have no rigorous industrial strategy. When I worked at Scottish Enterprise, for example, we watched Longannet drop off a cliff, with no plan for its succession and how it would be managed. As a result of that, we saw the collapse of Hunterston ore terminal in Ayrshire, which has now lost all its customers, because it was the input point for the transportation of coal to the power station.

Alan Brown: Longannet collapsed because it was no longer economically viable, due to the amount Longannet had to pay to connect to the grid, which is all based on distance from the population of London. Does the hon. Gentleman accept, therefore, that that is a UK Government failure, not a Scottish Government failure?

Mr Sweeney: The issue was a joint problem because we did not embrace the possibility of carbon capture and storage at Longannet. Nor, as the hon. Gentleman mentions, did we address the calculation system and the price charged for generation at Longannet—we have to address this issue on all fronts. Longannet was a failure because, ultimately, the jobs and industrial benefits were lost. As a result, we now have a large brownfield site that will cost a lot of money to clear up, for want of a proper succession plan and a proper strategy.

I urge all Governments to get a grip. I do not lay the blame on any one of them. I am describing the reality that faces the community and our country now, and it is about time we gripped it. I urge people to get together to sort it out. We have a lack of strategy in dealing with succession planning when it comes to closing down our nuclear fleet and also our conventional coal-fired fleet, so we have to address that. We must have a strategy. We have the opportunity.

Emerging technologies, such as the integral fast reactor, which is under development, will address the waste problem in nuclear. As Professor David MacKay, the chief scientist at the former Department of Energy and Climate Change, said, the reactor could supply all the UK’s energy needs for 500 years by consuming the UK’s existing stockpile of waste. That also addresses the decommissioning of the nuclear submarine fleet and the nuclear weapons at Aldermaston. It is a huge cycle that we have to address, and currently we are not gripping it.

We have a huge opportunity to embrace these technologies and use them as a basis for Britain to re-establish a global leadership position in civil nuclear energy that addresses the huge legacy of problems that we have had with nuclear. This is not about saying we can write nuclear off because the technology developed in the 1960s was flawed; it is about saying we are where we are and there are opportunities to utilise nuclear not only to deliver a low-carbon generation capability, but to address toxic waste issues. It is about developing, regenerating and manufacturing an advanced engineering basis.

That is why I urge everyone to be open-minded when approaching the issue of new nuclear technologies in the UK and to look at new technologies that can benefit the Scottish and UK economies. That is how we and the trade unions are approaching it, and it is an entirely legitimate and open-minded approach. I am dismayed that the SNP will unconditionally block any potential exploitation of the opportunity in Scotland at Torness or Hunterston. That is a great tragedy for Scotland, a nation that has done so much to be a world leader in civil nuclear technology. I hope the SNP might look at those technologies and change their minds.

3.12 pm

Ronnie Cowan (Inverclyde) (SNP): It is a pleasure to serve under your chairmanship today, Mr Robertson. It is less of a pleasure, however, to scrutinise the shoddy deal that taxpayers are being offered on the Wylfa power station. My hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown) asked a serious question: why nuclear now that so many renewable energies are
available? If we invested in them properly, we would see the renewable sector move into a new field, a new area of prosperity that would be more clean and bountiful, so why are we not investing in all the alternative clean energies as well? Why are we repeating the mistakes of the past? Asbestos was going to be a great new product, but now we live with the dangers and the costs it caused.

My hon. Friend stressed the line we were fed that without Hinkley coming on line in 2017 the lights will go out. The lights are on, the air conditioning is working overtime and Hinkley is still not contributing to that. The hon. Member for Ynys Môn (Albert Owen) said he had produced a booklet, which I really look forward to reading, that promotes nuclear and clean renewables. I hope it will be better than the booklet that was produced by the UK Government in the '70s that said, “In case of nuclear attack, hide under a table.” [Laughter.] It said hide under a table or in the cupboard under the stairs. I remember reading it as a child and being pretty frightened.

Albert Owen: Will the hon. Gentleman give way?

Ronnie Cowan: Certainly. I have been waiting for the hon. Gentleman’s intervention.

Albert Owen: I was born and raised on Anglesey. My children were born and raised on Anglesey. Safe nuclear generation has been with us for 40-odd years. That is the reality. Silly scaremongering about atomic power and nuclear bombs does not do justice to the spokesman for the SNP.

Ronnie Cowan: As I was born and raised within a short distance of Hunterston power station, I understand that people worked on building that station, but we are talking about power that can cause so much destruction that we cannot possibly comprehend it. I agree we need a balance, which is why I support wind, wave, tidal, solar and hydro as part of the mix. I want us to progress so that we do not need nuclear as part of the mix. That is the ideal situation that we should work towards.

The hon. Gentleman correctly highlighted job creation, but obviously the jobs are where the investment is. He highlighted the lack of support for the Swansea tidal bay, which is an absolute travesty by this Government. It was a great opportunity to invest in renewable energy and see where that could take us. How many jobs would that create in Swansea and how many within the supply chain around it?

Mr Sweeney: The hon. Gentleman talks about a comparison with asbestos and the idea that nuclear energy generation is somehow inherently toxic. What does he say about the integral fast reactor or the small modular reactor technology that consumes nuclear and therefore solves the problem that he claims exists? That is surely to be welcomed and embraced.

Ronnie Cowan: As I said, we are working towards a mixture of renewable energy. Ideally, if we could do away with the potential dangers, we should do so. One can say that about absolutely any industry. The coal mining industry was a dangerous business. We always worked to minimise the dangers, which is what we should do in the case of nuclear energy. If we can do it with nuclear as part of the mix, that is what we should work towards. We should invest in new measures to see if we can attain that. We should learn the lessons of Hinkley, a point made by the hon. Member for Ynys Môn. I hope we will learn the lessons of Fukushima as well.

The hon. Member for Glasgow North East (Mr Sweeney) said that nuclear was once seen as the future in the United Kingdom. He is right: it was once seen as the future. It was also seen as the future in Germany and Japan, but they have moved on. Unless we want to be left behind in areas of technology, we have to move on as well.

Albert Owen: On that point about Germany, an alliance or agreement with the Greens meant that they shut their nuclear capacity down, but now emissions have gone up as they import gas from Russia. They also import coal from Poland.

Ronnie Cowan: Obviously the Germans decided to bite the bullet while they heavily invest in renewable energy. If we do not do the same thing, in five or 10 years from now they will be way ahead of us and we will look back and ask why we did not do that.

We should be alarmed at a report in The Times that states that Hitachi will refuse to pay its fair share for nuclear accidents at Wylfa, with directors supposedly wanting “safeguards that reduce or eliminate Hitachi’s financial responsibility for accidents at the plant”.

This is the same company that has been accused of lying to the US Government by concealing flaws in one of its nuclear power plants. It is a company in which a whistleblower said after the Fukushima disaster: “When the stakes are raised to such a height, a company will not do what is safe and what is legal.”

It is a company that may be expected to pay only €1.3 billion in the event of a nuclear incident, even if such a disaster costs the UK hundreds of billions in damages. Pursuing nuclear energy is a folly, as my hon. Friend the Member for Kilmarnock and Loudoun has clearly outlined. Like so much of its ideology, Tory thinking is stuck in the 1950s. UK Government policy on energy seems to be no different.

Support for renewable energy has been slashed while taxpayers are expected to foot the bill for truly eye-watering levels of funding for nuclear stations such as Wylfa. That is irresponsible and avoidable. I was always under the impression that the Tories were the party of small government and of making prudent financial decisions, or so they like to tell us. Yet they saddle the taxpayer with more and more and more debt. Wylfa is just another example of a poorly negotiated deal for the taxpayers that the UK Government are supposed to represent. Of course, that is only considering the immediate financial and environmental impact. It goes without saying that the UK Government, by committing to Wylfa, are burdening future generations with the toxic legacy and cost of nuclear waste. I can think of few greater impositions of a Government on the rights of an individual than that.
I recently read with interest that survivors of the Fukushima disaster visited Wales to warn against the building of new nuclear reactors. In their first-hand testimony they outlined the devastating impact that the disaster had on local agriculture, with some people still unable to return to their homes seven years after the incident. Is a serious nuclear incident likely at Wylfa? Perhaps not, but having the station at all makes it a possibility. Why take that risk when the operator of the station may not even be liable for costs in the event of an accident? Why take that risk when the company in question was forced to pay a fine in response to allegations that it had lied to US regulators over safety concerns? Why take that risk when the operator of the station may not even be liable for costs in the event of an accident? Why take that risk when the operator of the station may not even be liable for costs in the event of an accident? Why take that risk when the operator of the station may not even be liable for costs in the event of an accident?

Finally, are the UK Government serious about developing an energy policy fit for the 21st century and beyond? If so, they should abandon their nuclear obsession and look to the Scottish Government for world-leading ideas on the best transition for our nations into being responsible producers of energy.

3.20 pm

Dr Alan Whitehead (Southampton, Test) (Lab): I thought I would break with convention and attempt, this afternoon, to address my remarks to the debate whose title we have before us. The debate is about taxpayer liability for safety at the Wylfa nuclear power project. The matter has been dealt with in passing by the hon. Member for Inverclyde (Ronnie Cowan) and my hon. Friend the Member for Glasgow North East (Mr Sweeney), as it featured in the wider canvas of what they said for nuclear power and, indeed, the potential nuclear energy plays in our energy mix, alongside his support for and deep understanding of the role that renewable energy plays in our energy mix, alongside his support for nuclear power and, indeed, the potential nuclear power station in his constituency. He spoke eloquently about what one might say is a narrower issue, but which gets to the heart of what we are talking about in terms of new nuclear over the next period. I want to distinguish between support for new nuclear in principle, and sober, detailed analysis of what deals and arrangements might result from resetting the button, so to speak, or pushing the button for new nuclear deals. What is under that button when we push it?

The problem with the proposed new Wylfa plant is not that a terrible deal will necessarily lie ahead; it is that we just do not know at the moment what that deal might consist of. There are, however, indications from the Japanese press, which I of course must read in translation, although I am sure the translations are reasonably accurate. They tell us quite a few things about what a new deal for Wylfa might mean, including that it is possible that the UK Government have already signed a memorandum of understanding with Hitachi, and possibly the Japanese Government, on how a deal might proceed. They also talk about possible investment by the UK Government in a new Wylfa deal, and—this also appeared recently in the UK press—about what Hitachi says it may or may not do in relation to liability for safety incidents and nuclear accidents at the proposed plant: whether it will seek, as part of the deal to go ahead with the plant, to water down, or remove itself from, some of the liabilities it would otherwise expect to be subject to for nuclear accidents and nuclear safety matters.

I emphasise that those issues are suppositions in reports that are coming out. On 4 June, when the Secretary of State made a statement about the in-principle negotiations that were being entered into, and my hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey) asked whether “Hitachi is seeking to ‘reduce or eliminate’ its financial responsibility for accidents”—[Official Report, 4 June 2018; Vol. 642, c. 78.]—he had nothing to say in response. Nor, indeed, had he anything to say about whether any deals had been entered into already, in principle or otherwise, and what the deals might look like. At the moment, we appear to have taken a step forward in agreeing to look at further activity in developing Wylfa, but what that would entail is shrouded in mystery. To my mind, that is not a good way to proceed with such arrangements. We need transparency from the word go, clear understandings of what is proposed, and the ability to analyse and look into the proposals as they proceed, not least for two reasons, which I shall put forward in a moment.

We are in a strange position, talking about an issue that we should, but do not, know quite a lot about—although the Government could tell us, but apparently will not at the moment. That may sometimes be for reasons of confidentiality, or because some of the reports are not accurate, or because the Government simply have not decided yet which way they will go. As to liability for safety in relation to the Wylfa nuclear project—the subject of the debate—it is certainly worrying that, if the reports are true, Hitachi may be seeking to downplay its possible liabilities as a way to continue with the negotiations, and might be looking to the UK Government to loosen the conditions on liability for nuclear accidents and nuclear safety as part of the process.

The reason that is particularly worrying is that, as the hon. Member for Kilmarnock and Loudoun (Alan Brown) mentioned in his opening comments, liability for nuclear accidents and nuclear safety is not something set out on a piece of paper in a box somewhere that can easily be negotiated away. It is actually defined by the Paris convention of 1960 and the Brussels convention of 1963. Those are updated by protocols through the EU, but the conventions are international, as such, and they provide some pretty clear lines about who is responsible for what, as far as safety and nuclear accidents are concerned. They place a strict liability on the operator—that is liability without having to prove fault, with exclusive liability of the operator. They limit the operator’s liability with respect to amount, time and the type of damage that is subject to compensation, and they place an obligation on the operator to cover that operator’s liability by insurance or other financial security.

Those principles have been drawn into UK law, most recently through some wonderful statutory instruments with which the Minister and I have become very familiar.
A series of statutory instruments has been passed between 2016 and 2018, and a key one was passed in 2016. Essentially, that legislation was on bringing those protocols into UK law, together with the increased liability that doing that entailed.

I will not go into detail, but the 2016 secondary legislation essentially means that a substantial liability should be insurable, subject to liabilities over a certain level essentially being socialised through Government intervention if they exceed that total. There is a culmination principle of substantial liability and expected liability—underpinned not just by UK legislation, but by international convention—that applies to any nuclear power plant operating in this country.

That is perhaps the nub of this potential problem. If the UK Government were to discuss with Hitachi what could be done in loosening its liabilities for nuclear safety and nuclear accidents at the Wylfa plant, they could not do that by providing a little wayleave for Wylfa power station, and expect all other power station operators to continue according to the Paris and Brussels protocols. They would have to breach those protocols, and replace UK legislation in so doing, and would then need to make all liabilities for all nuclear power stations of a lower order. That seems to me very significant, given what the reports coming out of Japan say about what Hitachi will and will not do as far as nuclear accidents and nuclear safety are concerned.

I would be interested to hear whether the Minister thinks that the analysis I have presented is essentially where we should go regarding nuclear safety and nuclear accidents. If she does think that, and if she agrees that such action would reduce liability for nuclear power stations across the board, the suggestion that there should be any negotiation with Hitachi on liability for safety and nuclear accidents separate from everybody else should set serious alarm bells ringing.

Has Hitachi made any suggestions that it will not pay by way of insurance for nuclear accidents and safety at the Wylfa plant? What has the UK Government’s reaction been to that? How do the Government see those suggestions—if indeed they are real suggestions—folding into wider discussions about the plant in general?

I should not turn down the opportunity to mention some wider issues regarding the negotiations. As the hon. Member for Kilmarnock and Loudoun also said in his opening remarks, we need to be careful of simply assuming that if a deal for the Wylfa power plant comes to fruition, this is a possible model that could be carried out for successors to Hinkley C. Placing assets on a regulated asset basis would effectively mean that the taxpayer—the customer—would have the risk transferred to them before the plant was built. They would be paying an amount of money, which would be taken out of bills, to underwrite that risk as the plant developed.

Under the current arrangement, a strike price would be agreed after the plant had started production and the customer would then pay. We have argued, as have many others, that the amount the customer will pay in relation to Hinkley C will be about twice the prevailing price for electricity over the period, because of those strike price arrangements. If the strike price is reduced, but the customer then has another liability while the plant is being built, not only does that add up roughly to the original position, but the customer will be paying up front before any power has been produced. If there are cost overruns or delays in production, the customer will continue to pay for that while the plant is finalised.

The Government’s stated position is that they will not undertake any more levy liabilities before 2025—the new doctrine produced in the Treasury recently. Customers may well pay that money before 2025, if this power station goes ahead in the way suggested, and therefore incur levies in breach of the Government’s stated position.

There is a lot to think about regarding what might be the terms of these negotiations, and as I have said consistently in this debate and elsewhere, we are still substantially in the dark as to what those negotiations might be. We need not to be in the dark so that we can discuss those implications and between us ensure that, should there be a deal for Wylfa, it is not just a good deal that gets Wylfa online, but a good deal that gets Anglesey online, with its power plant and all the things that go with that. That point was mentioned by my hon. Friend the Member for Ynys Môn. It must also be a good deal that Members of the House can frank on the grounds that it is good for customers, good for safety and good for the future of the nuclear power industry. At present, we are a very long way from that, and we need a lot more light shone on this arrangement before we can be sure that we will get the deal that we need.

3.38 pm

The Minister for Energy and Clean Growth (Claire Perry): It is a pleasure to serve under your chairmanship this afternoon, Mr Robertson. While I have the floor, may I take a moment to thank the Clerks and those who work so hard across the House of Commons to ensure that these debates take place? I particularly thank the Hansard reporters who are a miracle of accuracy, regardless of the quality of the debate—I just wanted to put that on the record before we go off on our summer holidays, although as we know, none of us are going on holiday; we will all be working hard in our constituencies.

I thank the hon. Member for Kilmarnock and Loudoun (Alan Brown) for securing this debate. We have had important conversations today, including two very stirring speeches from the hon. Members for Ynys Môn (Albert Owen) and for Glasgow North East (Mr Sweeney). I could not have made the case better myself—I will not try to, because Members probably do not want to hear me talking about that—but a point was made about having an energy supply that is diverse, strong, reliable, low cost for consumers, low carbon and, crucially, able to create innovation for reinvestment in the UK and for export.
I pay tribute to the long experience of the hon. Member for Glasgow North East in the shipyard. As he will know, if we had thought more about export potential when making some industrial decisions in the past, we would not have lost those high-skilled jobs. To reassure him, I was at the Cammell Laird shipyard two weeks ago to help to launch Boaty McBoatface. It was wonderful to see what £200 million of Government investment in polar research has delivered for that shipyard—thousands of jobs have been created and it has been able to bid for large-scale projects again. I enjoyed the speeches.

I will try to address the specific questions about safety, incidents and long-term liabilities. The hon. Member for Ynys Môn made a powerful case about our heritage. We should all be proud that we are leaders in the global civilian nuclear community in terms of safety and regulation, which we have built up extremely well over the years.

In this country, we do not set energy policy on the basis of ideology but on the basis of the test that I have discussed, so we will not make the mistakes of countries such as Germany. Last year, I was at the Conference of the Parties in Bonn to debate climate change, and barges of brown coal were sailing past the COP site—putting two fingers up to those who believe in reducing emissions and getting coal off the grid.

We all like to look at our apps, and there is an excellent one that tells us about the energy mix in the last 24 hours. We have burned no coal, which is excellent, and we used a bit of wind, which made up about 6% of the energy supply. Of the rest, 25% was from nuclear; 50% was from combined-cycle gas plants, some was from biomass and some was from interconnectors.

Mr Sweeney: Last year, for the first time since industrialisation, the country did not burn coal for energy generation, which was a huge milestone. The Minister talks about the huge industrial benefits and the benefits to the wider economy. Does she also recognise the benefits of the nuclear advanced manufacturing research centre in Rotherham, which has re-established large-scale casting capabilities in Sheffield—an industrial capability that had been lost in the UK?

Claire Perry: The hon. Gentleman is absolutely right. I will make reference to the nuclear sector deal that invests in the small modular reactor technology that he talked about and that engages with the industry and its supply chain by investing in innovation and skills and by thinking about what we can generate and export in the UK. I also pay tribute to the organisation that he mentioned.

Alan Brown: The Minister quoted the figure that 25% of electricity generated in the last 24 hours was from nuclear. In 2016, on average, nuclear supplied 21% of the energy mix, so 25% is not a huge variation and does not demonstrate the massive reliance that would mean we need to have nuclear forever.

Claire Perry: The hon. Gentleman and I know, because we form a holy trinity of debating on energy matters with my friend, the hon. Member for Southampton, Test (Dr Whitehead), that we all look forward to that 100% renewable future, but the problems of intermittency and storage will not be solved in the near term. We will not make ideological decisions that will put up costs and restrict energy supply if we do not have to—and we do not have to, because we have one of the best and most diverse energy mixes in the world.

Albert Owen: The figures that the Minister mentioned put gas at 50%. The big challenge is getting rid of gas boilers, which are in most houses. Moving to electricity will require a base-load from somewhere other than gas, which could well be nuclear.

Claire Perry: The hon. Gentleman is right, but we should start from where we are on energy policy. There is a role for further decarbonising gas to keep it in the mix, which is why I am keen to investigate, using excellent environmental standards, the potential contribution of onshore shale gas. [Interruption.] He is chuntering; he may not agree.

We have an independent regulator, the Office for Nuclear Regulation, which has scrutinised the proposed reactor design for Wylfa. The design has received design acceptance, which means that all regulators are satisfied that the reactor meets the regulatory expectations on safety, security and environmental protection at this stage of the process.

The hon. Member for Southampton, Test invited me to talk about the media reports—he is doing better than I am if he is reading the Japanese newspapers. I reassure him that any operator in the UK is required to obtain insurance to fulfil their financial responsibilities in the event of an accident, and as he referenced, international treaties, such as the Paris and Brussels conventions, provide the framework for the management of nuclear liability in the UK.

This deal will be no different. I emphasise that we are still going into negotiations and having conversations—we have not done the deal yet—but we are absolutely clear about the commitment to insurance for any form of accident. Not putting decommissioning liabilities on the taxpayer, as the hon. Member for Ynys Môn pointed out, is also part of those calculations. I agree with him that we did not think hard enough about that in the past; successive Governments had not worked out how to include those liabilities. We have learned, however, and we are moving forward with that.

Before the reactor can be built and operated, it will need a nuclear site licence. Wylfa will also always be subject to environmental permitting through Natural Resources Wales. A development consent order process that will run under the Planning Act 2008 will scrutinise the construction and operation proposals for the project.

The Energy Act 2008, passed by the Labour Government, introduced the funded decommissioning programme that moved the dial on who pays for decommissioning liabilities. It is now the case that all operators of new nuclear power stations are legally required to have secure financing arrangements in place to meet their full share of the costs of decommissioning and of waste management and disposal. We are absolutely committed to managing radioactive waste safely, responsibly and cost-effectively for the long term, but also to looking at other opportunities to reprocess some of that waste, as the hon. Member for Glasgow North East said. We will not repeat past mistakes where the taxpayer had to foot the bill for decommissioning.

There were some questions about liability in the event of an accident. I am happy to say that the last significant incident was the Windscale fire in 1957, and we are light
Those relationships facilitate the sharing of best practice between Japan, Canada and Australia that are also on track. On 4 May, we signed a bilateral NCA with the UK, which is a more comprehensive co-operation agreement to add to those already in place. The reassurance of a backstop in the very unlikely event of any changes is important.

The only liability-based agreement with Hinkley Point relates to insurance failure, and the Government will provide an insurance product in the event that an incident occurs. The Nuclear Safeguards Act 2018 provides for a backstop to the insurance product for the insurance failure, and the Government will provide an insurance product in the event of a nuclear incident.

Hon. Members have asked about what happens with the Brexit negotiations. Nuclear safety is and always will be our top priority. We will continue to apply the international standards on nuclear safety specified by the International Atomic Energy Agency irrespective of our future relationship with Euratom. I emphasise that we want a close association with Euratom: a new relationship that is broader and more comprehensive than any existing agreement between Euratom and a third country. The Nuclear Safeguards Act 2018 provides for the reassurance of a backstop in the very unlikely event of any changes.

Alongside that, the UK is negotiating nuclear co-operation agreements to add to those already in place. On 4 May, we signed a bilateral NCA with the United States, and we have further arrangements with Japan, Canada and Australia that are also on track. Those relationships facilitate the sharing of best practice in terms of nuclear operations and liability management. As I said, we are considered to be a proud leader internationally in the field of nuclear safety and regulation.

Further investment will bring huge benefits through innovation. My right hon. Friend the Secretary of State travelled to Wales to launch the nuclear sector deal on 28 June, which was a fitting setting to underline how the nuclear industry provides economic opportunities across the UK, particularly in more remote areas, as we have heard from many hon. Members. The nuclear sector deal is worth more than £200 million. It focuses on innovation and skills, which we can then use to export, and by striking it we aim to ensure substantial cost reductions across the nuclear sector, to ensure that the sector can remain competitive with other low-carbon technologies, because I constantly have to balance all investments with the potential pressure on consumers’ bills.

Dr Whitehead: It would be really helpful if the Minister were able to indicate, either today or very shortly, when she will be able to place on the record the shape of the negotiations on Wylfa—the main components of the negotiations, what has already been agreed in principle and what remains to be discussed. I do not know whether she can do that in the near future, but it would be helpful if she could indicate at an early stage when it might be possible.

Claire Perry: I appreciate the hon. Gentleman’s desire for transparency, but obviously I cannot do that, because doing so would prejudice negotiations that are ongoing. He will know, based on his long experience, that there is an interplay of costs, of contracts for difference numbers, and of potential asks from the UK Government and from shareholders, and these negotiations are long and complicated.

Part of the challenge, if you like, with large-scale nuclear is that a very large, up-front cost is associated with it; it is a very capital-intensive investment, although one that we want to make for the reasons I have mentioned. However, the conversation that we had earlier was about small modular reactors, which require less up-front investment, have more flexibility and allow us to invest in multiple sites, which are reasons why such reactors are so attractive; they allow us to spread those up-front costs much more widely.

In conclusion, this debate has been a very good opportunity to emphasise again the value of nuclear in our energy mix; to reassure people in this House and elsewhere that the UK Government will not make energy policy based on ideology but will soberly assess the cost, the innovation, the carbon and the security as we go forward; to celebrate the fact that we have one of the most robust nuclear safety regimes in the world, including world-leading independent regulation; to note the fact that people are hungry to see the details of the Wylfa deal and I will make sure that my right hon. Friend the Secretary of State, who is of course conducting those negotiations on our behalf, is aware of that; and, essentially, to reassure the House and others that—as is the case with all other nuclear generation in the UK—Wylfa will be a safe source of energy and one that minimises any form of liability being borne by the taxpayer.

Mr Laurence Robertson (in the Chair): I call Alan Brown to wind up.

3.52 pm

Alan Brown: Thank you again, Mr Robertson, for your chairmanship today.

The hon. Member for Southampton, Test (Dr Whitehead) touched on this—some of what has been presented today is supposition based on information that we have been able to glean from the media, so it could be argued that this debate was premature. However, I wanted to get such supposition out in the public domain and challenge the Government on it.

We should not be learning things from the media, but that is what has been happening in the case of Wylfa. After the first speculation about the Government discussing financial arrangements about the tax on Wylfa, I tabled a parliamentary question. That was in mid-May, but I was not able to get a meaningful response because of commercial confidentiality. Eventually, the Government made a statement on 4 June. So, while we hear about checks and balances and scrutiny, in many ways we are denied that scrutiny because of the cloud of commercial confidentiality.

I welcome the fact that the Minister categorically stated that Wylfa will have the same obligations on accidents and liability as all other nuclear power stations.
and nuclear power operators, and I hope that proves to be the case in the final arrangements. However, I will contradict myself slightly by saying that I hope we do not get the sign-off on those final arrangements, because of what I have said about attitudes to nuclear. I also remind the Minister that the National Infrastructure Commission’s assessment was that there should only be one new nuclear deal by 2025; again, I look forward to the Government reflecting on that.

I thank all the hon. Members who have taken part in this debate and, like the Minister, I also thank the Clerks for their work and the Hansard reporters—particularly in my case, they have a real hard job and they do it well. It is amazing to pick up a copy of Hansard and suddenly think, “Oh, that makes me look coherent”, so they do a marvellous job. I hope that all other members of staff have a good recess, as well. And again, thanks to everyone who participated in the debate.

Question put and agreed to.

Resolved, That this House has considered taxpayer liability for safety at the Wylfa Nuclear power project.

Rail Investment in the East Midlands

[SIR GRAHAM BRADY IN THE CHAIR]

3.55 pm

ALEX NORRIS (Nottingham North) (Lab/Co-op): I beg to move,

That this House has considered rail investment in the East Midlands.

There are some firsts today, Sir Graham—I am always dealing with firsts. This is my first time under your chairship, which is very much appreciated. I also did not know before now that we could start early, which is very exciting, and I shall avail myself of the extra minutes to illuminate my subject matter further. I have sought this debate for quite some time, so I am really excited to have got it under the wire before the recess.

I am not naturally a whinger or shroud-wearer, but I will say a little about how the east midlands is perhaps not doing as well in terms of rail investment as it could be. I will also outline some really specific and really effective schemes that, with Government support, would deliver better rates of growth in our region. They are credible, ambitious and deliverable schemes, so I am trying to build support for them, and securing this debate is part of doing that.

The east midlands is at the heart of the country’s strategic transport network; it is literally the crossroads of England. Given our growth potential and our good record in the east midlands of delivering big projects, people might think that we would be a prime target for rail investment. However, the latest Treasury statistics—indeed, pretty much everything in the Government’s data—show that we are way behind where we ought to be.

Our region does not secure enough public investment in rail; in fact, we are at the bottom of the pile. The latest statistics bear a brief airing: the east midlands has the lowest level of public expenditure on transport, in total and per head; it has the lowest level of public expenditure on rail anywhere in the country, at just £70 per head, which is £703 per head less than London and £180 per head less than the national average; for rail investment and transport investment more generally, the east midlands is not only the lowest funded region, but it has actually seen a reduction in funding in recent years; and the east midlands has the lowest level of public expenditure on infrastructure projects, at £230 per head less than the national average and £350 per head less than the north-west. And those figures are not a one-year blip; this is a trend over a series of years. The east midlands has actually experienced a steady downward slide to the bottom of the league.

I believe in levelling up. I do not see this process as some sort of competition against “That London”, and if it was, we would not win it. That is not the point I am making. However, it was very hard for me—I pride myself on being a pretty even-tempered person—to see what happened in one week this time last year. Despite an exceptionally strong business case, we saw the cancellation of the electrification of the midlands main line between Kettering and Sheffield, which represented nearly £900 million of investment. That happened just a day or two before the announcement of upwards of £38 billion of investment for Crossrail 2, the case for which is not as strong. I certainly would not wish to unpick Crossrail 2, but the point is that it was very difficult to hear those announcements on successive days.
We feel under pressure from London and the south-east, but we also feel under pressure, Sir Graham, from your backyard. The northern powerhouse is a competitor too, and it has a significant head start already: it is £980 per head better off in terms of infrastructure investment than the east midlands. Even in terms of the midlands engine, which we are very keen to see succeed, there is a risk of that becoming the west midlands engine, as it is tilted towards Birmingham, which is already £500 per head better off than the east midlands in investment.

We have some real challenges, and perhaps we need to look at why. It is true that we do not have the high profile of cities such as Manchester and Birmingham, with their Metro Mayors, and perhaps we lack an obvious regional identity—that is something I get quite a lot, and I was told not so long ago that the east midlands is basically what is left after everywhere else is taken away, which is a little unkind. Perhaps we struggle to agree local priorities. Or perhaps it has been down to a lack of propositions—well, not any more. That is my key theme for the debate: there are clear proposals for rail investment, and I am confident the Minister will have seen the Midlands Connect and Transport for the East Midlands shared vision for the region, which has recently been discussed with the Secretary of State, and the east midlands declaration on infrastructure funding, signed by Sir John Peace, chairman of The Midlands Engine.

When I was first elected, I went out to speak to as many people as possible, and I asked the business community, and especially our local enterprise partnership, what they wanted from their MPs. I got a very clear message: agree a set of priorities between you and stick to them. Contradictory messages have not served us well in the region. The all-party parliamentary group on the east midlands, which the hon. Member for Amber Valley (Nigel Mills) and I co-chair, has sought to build that consensus, and this year we are focused on rail. I think that that cross-party approach has served us well and has developed a broad consensus. That is astute. Tenacity is important too, and we certainly will not lack for that.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): I commend my hon. Friend’s work as co-chair of the all-party group. The point about cross-party working is incredibly important because there is a lot of consensus in the east midlands, particularly regarding the fact that we get £70 per head compared with £770 in London. We all understand the importance of the capital city, but it has a significant head start already: it is £980 per head better off in terms of infrastructure investment than the east midlands. Even in terms of the midlands engine, which we are very keen to see succeed, there is a risk of that becoming the west midlands engine, as it is tilted towards Birmingham, which is already £500 per head better off than the east midlands in investment.

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Alex Norris: I am very grateful for that intervention. That is exactly right. This is not, dare I say it, an issue for just the current Government; it has been an issue for previous ones too. Our approach has to be one of consensus, and I think that that is how we will best get what we want. In thanking my neighbour to the east, I ought to reference my neighbour to the south, my hon. Friend the Member for Nottingham South (Lilian Greenwood). It might give the Minister some amusement to know that she is not with us because her Transport Committee currently has the Secretary of State in front of it. I suspect that the Minister will have a slightly easier time than the Secretary of State.

We should be an ideal investment opportunity because investment in the local economies that make up our region offers a great economic return—better in many business cases, in fact, than in other parts of the country. By increasing the proportion of national infrastructure spending in the east midlands, the Government will have a better chance of unlocking the private sector investment needed to revive and rebalance the UK economy. We need only look at the levels of gross value added—GVA—driven out for every pound of transport spend, to see how compelling the case is. That is one league table that the east midlands tops, showing our ability to deliver growth not only locally but nationally.

What am I seeking to raise with the Minister and perhaps secure his support for today? I have four things, the first of which is making the most of HS2. The east midlands has set out plans to use HS2 to drive up economic growth across the region, creating an additional 74,000 jobs and £4 billion of GVA by 2043. The region’s station at Toton will be the best connected HS2 station outside of London and will transform connectivity between the east midlands and Birmingham, Leeds, the north-east and Scotland, as well as London. We believe that HS2 can have a transformative impact on the east midlands; from the hub station at Toton and the Staveley infrastructure depot, to connecting Chesterfield to the HS2 network, there is an opportunity for the Government to invest in getting on with things and bringing them forward, starting HS2 services in 2020, three years early. Partially opening the hub station a little earlier in the next decade would stimulate growth earlier, unlocking the potential for 11,000 new jobs and radically improving connectivity between the east midlands and Birmingham. There is a real prize for us in HS2, and we can get on with it now. I know people think it is a bit of a long way away, but we can get on with it.

Ben Bradley (Mansfield) (Con): I congratulate the hon. Gentleman on securing this debate on a really important issue, particularly as regards getting the economic benefit from HS2. I want to flag, perhaps to the Minister, the opportunities that I and my hon. Friend the Member for Sherwood (Mark Spencer) have been talking about in terms of the Robin Hood line, and the social benefits of connecting villages up to jobs, the tourist economy and, in the long term, the HS2 hub at Chesterfield, giving deprived communities access to the big economic boost that the hon. Gentleman talks about.

Alex Norris: The hon. Gentleman makes an excellent point. I am a big believer in our region’s future lying in the strength of HS2 and the logistics hubs that we can put around it and our airport. However, the hon. Gentleman’s community and mine will not benefit from that unless we can get there, and getting there cannot mean just going into the nearest big city and going out; we have to get there in other ways as well. I confess to enjoying a nice night out in Mansfield—a tasty night out. I would say—and I would definitely like to be able to get from Bulwell to Mansfield a bit more easily. However, I have picked up in dispatches that there might be a bit of a governmental wobble regarding HS2, especially its second phase, and I would be very interested to hear the Minister’s reflections on that.

The second priority is investment in the midland main line—you would expect me to say that, Sir Graham. We welcome the investment in upgrading the track and
the signalling, but the importance of electrification should not be understated, as it is an opportunity to put really modern infrastructure in place for our region, make travel more comfortable, reduce running costs and carbon emissions, and improve air quality, journey times and efficiency. Electrification has an awful lot going for it.

As I said, the business case for between Kettering and Sheffield was really strong, and for it to be a casualty of cost overruns elsewhere is a real shame and a fundamentally flawed decision. That is not just my view or that of local business and council leaders; it is the view of the National Audit Office and the Transport Committee. But we are nothing if not pragmatic in our region. We appreciate that the rail franchise is now out to tender, and that it includes specification for bi-mode trains, so we must start in the world as it is, rather than the world as we want it to be. Let us make absolutely certain that whatever stock is procured for those lines can be converted to full electric mode in the future. Let us ensure that they can deliver on the journey time ambitions in both modes, and let us think about business growth. Our region is the international centre for rail engineering, so let us definitely ensure that those new trains are built in Derby.

Alongside that, in the spirit of pragmatism, let us think about the incremental electriﬁcation of the line. There is an opportunity to go bit by bit, and in time for the completion of HS2, so as not to risk losing one of the prizes of HS2 around speed. The Government have already committed to completing the section between Clay Cross and Sheffield in time for HS2. That will get us up to 62% of the line, so let us have a plan for the other 38%. I cannot help but think that we would save money by doing it properly, all in one go, but if it is incremental electriﬁcation, then let us have it, commit to it and plan for it, because it would progressively reduce the costs of running bi-modes on the line and release revenue to improve services elsewhere in the east midlands. Without electrification, it will also be more difﬁcult to integrate HS2 into the existing rail network, so we really have to think about this and learn from mistakes elsewhere and from what has gone well in other countries.

The third priority is one I am particularly interested in. While waiting to start the debate, I saw the hon. Member for Walsall North (Eddie Hughes) come in, and I thought he was going to talk, as a west midlands Member, about east-west connections, but I see he is in his place as Parliamentary Private Secretary. Nevertheless, if he had intervened, I would have made what I think is a neat assumption—that it is of as much interest to my neighbours to go to Walsall as it is to go to Wallington. That east-west has to be as important as the north-south. Sometimes it feels like a radical act to state that not everything for us is about getting to and from London more quickly, we are just as interested in moving east and west. So let us address the complex rail infrastructure in Newark and press for major investment to reduce conﬂicts between the east coast main line, which goes at speed, and the much slower Lincoln to Nottingham rail trafﬁc. Let us reinstate direct services between Leicester and Coventry, which are important players in The Midland Engine.

One of my key things to highlight today is this: Midland Connect has developed the midlands rail hub concept, which would signiﬁcantly improve rail capacity between the east and west midlands. It is a cost-effective package, with an additional 24 trains per hour improving east-west connectivity. At the moment, it takes 69 minutes to go the 50 miles from Nottingham to Birmingham. As you may know, Sir Graham, I am pretty quick on my feet, and sometimes it feels like I could beat the train. I think we can do better than 50 miles in 69 minutes. The hub would also beneﬁt links to the midlands’ two international airports, and to the south-west and south Wales, allowing for an additional 36 freight paths a day, carrying £22 billion of goods every year. That is a really sensible package of ideas and, again, I am interested in the Minister’s reflections.

Finally, when I am on my feet, I never miss an opportunity to talk about light rail. I am a proud Nottinghamian, so I punt for light rail at every opportunity. We are really proud of our tram system. We are proud that we are the least car-dependent city in the country outside London and that we have the best public transport outside London, but there is potential for us to go further, and it would be really positive to expand our network. Similarly, East Midlands airport is a key part of our local economy, but it is hard to get to from East Midlands Parkway, and local roads are snarled up with associated traffic. A light rail link could be the perfect solution.

We have talked a little about the past, but I want to focus on the future. In the east midlands we are practical and pragmatic. We are a can-do region, and that is reﬂected in Government statistics for employment growth and new business start-ups, but we can do much more. We want to work with the Government to boost investment in key rail and other transport projects that will release economic growth, to not just our own benefit, but that of the county as a whole.

4.10 pm

The Minister of State, Department for Transport (Joseph Johnson): It is a pleasure to serve under your chairmanship, Sir Graham, and I congratulate the hon. Member for Nottingham North (Alex Norris) on securing the debate. I commend him, alongside my hon. Friend the Member for Amber Valley (Nigel Mills) and the hon. Member for Nottingham East (Mr. Leslie), for the work that they have been doing on the all-party parliamentary group on the east midlands, as well as my hon. Friend the Member for Mansﬁeld (Ben Bradley), who is a bit further north of Nottingham. It is good to build cross-party links to ensure that the east midlands develops a coherent overall strategy for transport.

It is also a pleasure to have a chance to talk about the Government’s planned rail investment in the east midlands. I remind the House that we are in the process of undertaking the single biggest upgrade of the midlands main line since it was completed almost 150 years ago. Through more than £1.5 billion of investment, we will reduce peak-journey times, increase capacity for passengers and freight services, reduce the environmental impact of railway operations, and improve the experience of passengers travelling in the east midlands. Some of that work has already been completed. In February, passengers began using newly commissioned track and signalling between Kettering and Corby, increasing the capacity, speed and resilience of the railway between those two Northamptonshire towns.

Ambitious works to modernise and improve the railway at Derby station began on Sunday. That upgrade includes 17 kilometres of new track, 55 new signals, 79 sets of
points and nine new overhead gantries. The current complex and inefficient track lay-out will be simplified, allowing for more direct train movements to and through the station. Ultimately, that will reduce journey times and improve reliability.

Works to extend electrification infrastructure from Bedford to Corby are also under way. We have also asked HS2 Limited to begin preparatory works for the future electrification of a 25-kilometre section of the midland main line from Clay Cross to Sheffield station. As the hon. Member for Nottingham North said, new bi-mode trains, to be delivered under the next east midlands franchise, will provide us with the flexibility to use electrification where it is affordable and delivers real passenger benefits.

Improvements for passengers, while vital, are not our sole focus. The midland main line programme will also provide more opportunities for freight. Stations and bridges between Kettering, Bedford and Corby are being reconstructed to accommodate larger shipping containers, creating more train paths for freight. The next east midlands franchise will exploit and build on those capabilities.

The recently published invitation to tender specifies an ambitious programme of benefits and improvements. Through the new franchise, connectivity between the east midlands and London will be significantly improved. Journey times between Nottingham and Sheffield will be reduced by up to 20 minutes in the peak, and there will be a brand new fleet of bi-mode trains from 2022.

Mr Leslie: When the scheme for electrification was cancelled this time last year, the Government went for bi-mode train technology, but the National Audit Office said that the train technology to deliver the benefits did not exist. Will the Minister reassure us that the bi-mode trains that he envisages are real and will deliver on the specifications that he hopes for?

Joseph Johnson: Absolutely, and the decision means that passengers will benefit from the new trains sooner, and with less disruption, than we would have proceeded with plans to electrify the entire line. The upgrade of the midland main line will support much better journeys, faster journeys in the peak and more seats as a result of the new trains, with further improvements from 2022.

Thanks to modern train technology—the bi-modes that we will procure—we will not need to electrify every part of the line to deliver better journeys.

The capacity of services will be increased throughout Lincolnshire, and between Derby and Crewe, and an additional train per hour will run from Corby to London St Pancras. Throughout the week, services will start earlier in the morning and end later in the evening, and more trains will operate on Sundays. Passengers will also benefit from high-quality wi-fi and mobile connectivity, both on trains and in stations. Smart ticketing options will be introduced for leisure and business journeys, including better value-for-money fares for passengers travelling regularly but on fewer than five days a week. The new franchise has specified exemplary passenger satisfaction targets for trains, stations, customer services and dealing with delays.

All those investments will radically improve rail services in the east midlands. However, our plans do not stop there. As we look to the future, we are working collaboratively with bodies such as East Midlands Councils and Midlands Connect to identify more areas where rail investment can unlock new potential in the region. To that end, the Government are supporting Midlands Connect with £12 million of funding to develop a transformational strategy to boost productivity and growth through transport investment.

A further £5 million has been provided to support the development of the proposed midlands rail hub that the hon. Member for Nottingham North mentioned, which seeks to provide a significant uplift in capacity and reduction in journey times between Nottingham, Leicester, Derby and Birmingham. The new east midlands rail hub at Toton will be one of the best connected stations in the region, providing new high-speed links to London, Birmingham, Chesterfield and Leeds. The station will also link to the existing network with routes to Nottingham, Derby and Leicester, connecting those cities in turn to HS2.

The Government’s commitment to continuously improving rail in the east midlands is evident, and the huge benefits that that will bring will be obvious. The measures that I have outlined will transform services across the breadth of one of England’s most dynamic regions.

Question put and agreed to.

4.17 pm

Sitting suspended.
Family Hubs

4.30 pm

**Fiona Bruce** (Congleton) (Con): I beg to move, That this House has considered family hubs.

It is a genuine pleasure to serve under your chairmanship, Sir Graham, given your support for family life.

What exactly are family hubs? They are beginning to spring up across the country, and are being developed by innovative individuals and local authorities as a result of a fundamental rethink of how families can be better supported. The term is used in two main ways. First, it can mean a physical building in the heart of a local community, such as a former children’s centre, a sports centre or a school, where a range of providers of adult and children’s services from the public, private and voluntary sectors are based or co-ordinated. Crucially, it is a place where families can go for help and support, and where someone will have the answers. The Isle of Wight’s locality hubs, to which I will refer shortly, are examples.

Alternatively, the term can be used to refer to a virtual community service hub. For example, in Newcastle, networks of services are co-ordinated in an integrated way, perhaps in a single building that is not itself a hub.

The examples I will refer to today are physical hubs.

The advantage of physical hubs is that families know that there is somewhere local to go, where joined-up services are clear for all to see and access without stigma. No family is without its challenges from time to time.

Why are some local authorities developing family hubs? According to Dr Samantha Callan, “the lack of readily accessible family supports, along a spectrum of need, throughout the time children are dependent on their parents (0-19) means that life chances are often severely impaired and social care services are faced with unremittingly high numbers of children who are in need, on child protection plans and coming into care.”

The Children’s Commissioner for England, Anne Longfield OBE, who is very supportive of family hubs, rightly says in her child vulnerability report, published last month, that “1.6 million children living in families with substantial complex needs have no established recognised form of additional support.”

She is increasingly frustrated that vulnerable children are “let down by a system that doesn’t recognise or support them; a system that leaves these children and their families to fend for themselves until things have got out of hand and crisis hits”.

**John Howell** (Henley) (Con): My experience of children’s centres is that they were not targeted, and the services they provided were completely wasted. How will my hon. Friend ensure that the hubs are targeted at the people who really need them, rather than at middle-class mothers who want to sit there or who take their children because they have other things to do?

**Fiona Bruce**: One of the ways—I shall elaborate on this—is to ensure that the centres are grassroots-built, that they engage with the local community and that they involve not just the statutory services but voluntary community groups. Each family hub will therefore be different and tailored to the needs of the local community, much more than Sure Start services were.

Anne Longfield says that “in expanding the range of support we offer to vulnerable children and their families, we can support many more children in a more efficient and effective way. This is about an approach that works with children and their families, to develop resilience, confidence and independence”.

She says that it is imperative that Government initiatives “focus on expanding the provision of lower-level services which support children and families, making them routine to access”.

She says that some may simply need a “helping hand” but that “for others it will be specialist support for them and their families.” Family hubs can offer that range.

The broader need that Anne Longfield highlights explains why exclusively focusing on the Sure Start children’s centre nought-to-five model is no longer tenable. It is vital, if we are to give children the best start in life, that services are broader. However, we also need to address the massive challenges our country faces due to family instability. That is why family hubs are needed. Such challenges include children’s mental health issues and educational and employment under-attainment, as well as a range of other challenges that can be lifelong, including addiction, housing pressures, pressure on GP surgeries, loneliness in old age and many others.

Although family hubs are as yet few in number, they are already beginning to have a real impact. I understand that the early intervention provision on the Isle of Wight means that fewer children are being put on child protection plans. At Middlewich High School in my constituency, when students have special educational needs or disability or mental health challenges, the whole family is supported. After just a few years, the evidence shows the positive impact of family hubs on the emotional health and wellbeing of students. There has even been an improvement in GCSE results.

I will describe one family hub in detail to evidence the range of support that hubs can provide, but before I do so, I will set out my key asks of the Government: National Government, from the Prime Minister down and across ministerial briefs, must really get behind this initiative. They must champion family hubs in policy, promote best practice and provide a transformation fund to help to accelerate the development of family hubs across the country.

I will describe just one example from a number of family hubs, represented at a recent roundtable to showcase good practice that was held at 10 Downing Street. Family hubs are all different because they are created by and tailored to the local communities in which they sit. Chelmsford family hub opened in March and is located in Chelmsford library. The refurbishment was paid for by a £145,000 grant from the Arts Council and £171,000 from Chelmsford’s infrastructure levy fund. In its first two days of opening, more than 80 families received support from the Essex Child and Adult Wellbeing Service and library staff.

The Essex Child and Adult Wellbeing Service focuses on ensuring every child has the best possible start in life and on providing community services that are accessible and high quality, and that meet the identified needs of children, young people and families.

**David Simpson** (Upper Bann) (DUP): I am very interested in what the hon. Lady is saying. In my constituency, some church community organisations...
have a wrap-around service, like a family hub, that provides not only education, but clothing, food and breakfast in the morning, and deals with young people who have issues. Is that the sort of thing she is talking about?

Fiona Bruce: Absolutely. A family hub could well be placed in a church environment. Indeed, a wonderful church community in my constituency—New Life church—provides a host of services for all ages, including a very effective job club.

Family hubs are at the heart of the services in Essex. The majority of services are delivered and co-ordinated from hubs. There is one in each district and, like the one at Chelmsford library, they are open for 50 hours a week. The hubs’ approach to family care is to look at a family’s strengths and then to work with the family, across all its services, aligning resources and focusing on prevention, early intervention and evidence-based practice. Working with families is so important.

At Chelmsford library, library staff, health and family support workers, and volunteers from other support agencies have come together to create a one-stop shop for free family services, including antenatal contact, parenting support, school readiness, school nursing, family health, substance misuse support, contraception advice, nutrition support, mental health support, smoking cessation, dental care, and SEN and disability support for young people up to 25. They work with an array of family support services, such as Citizens Advice, safer spaces, adult community learning and home start. Volunteers are proactively encouraged to play a role through peer support and by developing grassroots community groups to help to strengthen and build resilience in local communities.

Key features of that successful approach include a true integration of joined-up services and community engagement, the whole-family approach I mentioned and a flexible service that meets individual needs—the right type of support by the right person at the right time. Myriad outcomes are aspired to, including children and young people feeling safer; families being helped to improve parenting and children’s behaviour; better emotional wellbeing of mothers and children in the perinatal period and beyond; good lifestyle choices; more resilient families who can respond well to crises and cope with shocks; young people having strong attachment to at least one adult; and people being connected to and involved in their local community.

So many families are increasingly without the support structures we took for granted only a generation ago, and often live far away from relatives. The impact of family hubs cannot be overestimated. As Javed Khan, chief executive officer of Barnardo’s, said at our No. 10 roundtable, they should be “at the heart of the domestic policy agenda”.

Family hubs could play a crucial role in fighting the “burning injustices” highlighted by the Prime Minister. Mr Khan also said:

“Our frontline experience strongly supports the proposition that early help for families is absolutely essential to build resilience and prevent more serious problems occurring later on. That’s why, in our 10 year strategy, our first of three aims is to create Stronger Families, alongside Safer Childhoods and Positive Futures.

Amongst our 1000+ services, we have some great examples of Family Hubs. We all know that rising demand on safeguarding services and the care system, combined with tightened budgets, leave many local authorities without the means to invest in early support. Yet help for families is vital if we are going to break the cycle and step in when children are at serious risk of harm.”

Other family hubs, such as Woodland Academy Trust’s, help with job and career opportunities. That hub has introduced a character toolkit for children and young people and has established a number of local projects in conjunction with local faith groups. As the hon. Member for Upper Bann (David Simpson) mentioned, they can provide very strong community support. Westminster City Council plans to develop three hubs in collaboration with partner organisations, such as child and adolescent mental health services. I look forward to the launch of the family hub partnership in Westminster this November. We hope that there will be a ministerial presence there—ideally, the Secretary of State for Education.

The key aims of the Westminster hubs are just too many to mention, but they include identifying families with complex needs as early as possible, no matter which service they come into contact with; preventing family breakdown; preventing children from going into care and from entering the criminal justice system; helping parents to gain employment; providing access to first-line mental health support to reduce referrals to higher level, more costly interventions; and improving outcomes for children and young people across a range of health and wellbeing indicators. I hope that those descriptions bring home the tremendous potential that family hubs could have if they were sited in local communities right across our country.

The aspiration to support the creation of family hubs nationwide is one of the policy asks in the Manifesto to Strengthen Families, launched last September, which has the support of some 60 Conservative Back-Bench MPs, many other MPs and a large number of peers. I pay tribute to Dr Samantha Callan, whom I mentioned earlier, who has done so much work on how practical policies could be developed by Government to help to strengthen families. She is part of the team that worked on this manifesto, together with Lord Farmer—our representative in the Lords—and our executive director, David Burrowes and myself.

Key policy 6 of the manifesto states that the Government should “encourage every local authority to work with voluntary and private sector partners to deliver Family Hubs… local ‘one stop shops’ offering families with children and young people, aged 0-19, early help to overcome difficulties and build stronger relationships…the Government should put in place a transformation fund and national task force to encourage Local Authorities to move towards this Family Hub model…that will particularly help children in need.”

The manifesto also states:

“Alongside physical Family Hubs, the Government should work with the Family Hub Movement to develop a virtual Family Hub offering online support and guidance that mirrors the depth and quality of NHS.gov and links families to local provision.”

I want to emphasise, however, that vocal and practical leadership is required from central Government significantly to accelerate the creation of family hubs and their roll-out across the country. We need Ministers and the Prime Minister to champion family hubs. We need this to be a key component of our domestic policy going forward. Backing that up with a transformation fund of £100 million over four years could provide a rocket
boost by highlighting good practice and helping senior local authority staff across the country to reconfigure existing services to make them more holistic and co-ordinated. Focus should be on early intervention and prevention, as well as community self-help and developing missing services such as relationship support, which is too rarely available in the community.

Leadership from national Government to strengthen family life in our country is absolutely critical. The fiscal cost of addressing family breakdown, quite apart from the often lifelong pain and suffering of millions, has been estimated and oft-quoted in the House at around £50 billion, but that is a vast underestimate. The cost in terms of lost life potential and lost productivity is much more.

So much of that cost is borne, and so many of the related challenges are addressed, by a wide range of Departments: Education, Health, Justice, Work and Pensions, the Cabinet Office, Housing, Communities and Local Government, and even Defence. That is why our manifesto policy 1 asks for a Cabinet Minister to be appointed with responsibility for families. In the same way that one Cabinet Minister holds the equalities brief, another Secretary of State with a cross-Government brief, or one of the larger Departments such as DWP or Housing, Communities and Local Government, could bear named responsibility for families.

That Secretary of State would require an equivalent body to the Government Equalities Office—a dedicated budget and civil service team to prioritise and co-ordinate family policies across Government. That would also help to avoid the duplication of work that is becoming apparent across Departments and pots of money being allocated to address such challenges. There is serious risk that much good work across Government will not meet its objectives as effectively as it could because of the lack of integration and co-ordination across Departments, as well as the risk of duplication of manpower and money. That could be avoided if a Cabinet-level Minister responsible for families co-ordinated all that good work and more.

I mentioned that good work is being done across Government to strengthen families. Over the past year, our team that has worked on the Manifesto to Strengthen Families has been encouraged by the positive response to the manifesto not only from many Back-Bench colleagues, but from Ministers. We are delighted that the Ministry of Justice has fully adopted and is implementing Lord Farmer’s review on strengthening prisoners’ family ties, which reflects policy 18 of the manifesto.

We were also delighted by the announcement by Health Ministers of £6 million to help the children of alcoholics—a need referred to in policy 4 of the manifesto. Similarly, the budget of more than £90 million allocated to addressing the mental health crisis faced by young people was welcome, which we also referred to in our manifesto. However, our team has told the Schools Minister that if that funding is to be effectively used, it is critical that young people’s families are involved wherever possible to help to address their mental health needs. Engaging families and early intervention are absolutely essential to avoid the continued mental health challenges among young people in this and future generations.

Only last week, we welcomed the announcement by the Secretary of State for Education of greater emphasis on relationships education in the newly proposed curriculum guidance. It includes that pupils learn about the characteristics of healthy relationships and the “nature and importance of marriage for family life and bringing up children”—an emphasis reflected in policy 3 and elsewhere in our manifesto.

We also welcome the statements by Ministers in both Houses on the manifesto policy suggestions, including family hubs. My hon. Friend the Member for Nuneaton (Mr Jones), when he was Under-Secretary of State for Communities and Local Government, said:

“I welcome the development of family hubs and we know that many areas are already moving towards this model of support for children and families.”—[Official Report, 30 October 2017; Vol. 630, c. 564.]

Earlier this month, the Under-Secretary of State for the School System, Lord Agnew, affirmed family hubs, saying of them and other strategies that the Government want “to ensure that these innovations are recognised and shared, and we want to spread these successful approaches.”—[Official Report, House of Lords, 12 July 2018; Vol. 792, c. 959.]

Spreading the successful approach of the family hubs that are already up and running is important—indeed, it is urgent—hence the need for national Government support.

I have some short practical requests, which are examples of how the Government could support and help to promote family hubs. I understand capital clawback would need to be waived if the change of use of a former children’s centre were part of a local authority’s service redesign. Will the Government look at that? There should be a requirement for parents who are not in work but benefit from free childcare to spend at least one of those childcare sessions with their children in the hub to boost their own parenting confidence. Ofsted’s single inspection framework could specify that early help for families must show regard to the need for support for couples as well as parenting support, and DFE could signal its support for a major gear shift in the development of family hubs by adopting “hub language” and encouraging local authorities to redesign family support along the co-ordinated lines of family hubs.

The good news is that positive outcomes can be achieved quickly, as I outlined. The health and wellbeing work and engagement with families in Middlewich, where such outcomes are already being seen, has been led by an inspiring headteacher, Keith Simpson, who was appointed just six years ago. I read in this week’s edition of the local newspaper that he will be moving on. He has become deeply appreciated and respected in the Middlewich community, and has shown through his leadership what a positive difference engaging with the whole family can make. I am sure I speak on behalf of the whole town when I say we wish him well with his move to Neston. Middlewich’s loss will be very much Neston’s gain, and he will leave a long-lasting legacy in many lives, particularly young ones.

Imagine the huge difference—the transformative impact—that could be made nationwide in just a few years by having a family hub in every community. Their positive, perhaps lifelong, impacts on individuals would ripple
out into the community. Even the Chancellor has signalled his support for the concept, recognising the increased national productivity that may result.

The Under-Secretary of State for Education, who will respond to the debate, said recently that the Government have committed £8.5 million for councils to peer review one another to see what actually works in terms of outcomes for children. Will he confirm that that will include reviewing the effectiveness of family hubs? I know from a private meeting between him and our Manifesto for Strengthening Families team that he understands so much of what I have spoken about, so will he become a vocal champion for family hubs, press his Secretary of State to be so too, and in turn press the Prime Minister to take up the policy asks I outlined? It is not an exaggeration to say that this could be transformative for our nation.

Several hon. Members rose—

Sir Graham Brady (in the Chair): Order. Two Members are seeking to catch my eye, and we have a shade over 20 minutes before we need to commence the winding-up speeches, which I want to happen no later than quarter-past 5. I call Jim Shannon.

4.53 pm

Jim Shannon (Strangford) (DUP): Thank you, Sir Graham. It is a pleasure to speak in this debate. It is always an intense pleasure to follow the hon. Member for Congleton (Fiona Bruce). There is probably not a debate she leads that I am not at, and I suspect there is not a debate I lead that she does not attend. We have kindred interests, and this is one of them, so I informed her that I would put my name down to speak in support of what she does. I commend her on her hard work on her that I would put my name down to speak in support of what she does. I commend her on her hard work on family hubs.

I will talk about family hubs from the perspective of the church groups in my constituency, because that is where family hubs come from. The hon. Lady knows that, as does my hon. Friend the Member for Upper Bann (David Simpson), and I hope at the end of the debate other Members will know it, too.

From illness to losing a job, from grief to unexplained depression—I have found that the number of people who look like they have no problems but in fact have depression has greatly increased over the years, and how to help them and get them beyond where they find themselves is probably one of the greatest issues I face in my constituency office—and from a life of plenty to a life of poverty, I am amazed by the difficulties that so many people face. We face them every week in my office. I am sure others do, too. I am thankful that so many people volunteer to help others face those difficulties.

I work closely with the local food bank and Christians Against Poverty group, which work out of the specially designated compassion centre at Thriving Life Church in Newtownards. I have had a very good relationship with that centre over the years. I helped it with its planning application when it moved to where it is now. It took over a car sales place and totally renovated it to make it a really good compassion centre—the name was chosen specially. The centre supports people who need short-term and long-term help, of whom there are many in my area. That food bank was one of the first to be established in Northern Ireland, and its impact has been great. There is also a clothing bank, groups for elderly and young people, a coffee shop and a breakfast club. The Church is very community-orientated. Clearly, its work is based on its beliefs and its faith, but it works with lots of single parents, and it is involved in charitable fundraising, too.

My area is second only to County Antrim, which contains Belfast, in terms of people’s need for three-day emergency food packages from food banks. The biggest cause for food bank referral in the Province is recorded as “low income—benefits, not earning”. I fill in forms with those categories when people come to see me, and I always ask whether they have no benefits, their benefits have been delayed, they have low income or they have been through relationship break-up, so I get a fair idea of what people experience. Low income accounts for 45% of referrals in Northern Ireland, and benefit delays and benefit changes, which each account for 12%, are also significant reasons for referral.

People need help, and that Church in particular helps to put food on the table and provides people with life-changing support to deal with debt and learn better money management, which is really important. The debt charity Christians Against Poverty reported that its clients had run up average debts of £4,500 on rent or utility bills, forcing them on to what the charity described as a “relentless financial tightrope” on which they juggle repayments and basic living costs, which leaves many acutely stressed and in deteriorating health. Lots of problems follow from the debts. What is important is helping people to learn to manage their money, stepping in and maybe even sorting out the repayments as well. In our office we have been personally involved with that and I know that the Church group has too.

The pressure of coping with low income and debt frequently triggers mental illness or exacerbates existing conditions, with more than one third of clients reporting...
that they had considered suicide and three quarters visiting a GP for debt-related problems. More than half were subsequently prescribed medication or therapy. We may see the physical outcome of the problems they present to us, but what we maybe do not see is the emotional and mental issues that are just underneath.

Families are under immense pressure and Churches are stepping into the breach. The local Elim Church in Newtownards runs a cancer care club that provides support, encouragement and a listening ear for those suffering from cancer or their families. I have been to those groups a couple of times to meet some of the people; it gives me a focus on the problems that people have. The Church also runs an addictions night, which brings in some of the local addicts, feeds them and tries to offer help. I have met those people over the years. They are good people who just need someone to guide, support and help them at a time when they are at their very lowest.

Scrabo Hall runs a women’s ministry to help vulnerable ladies and offer support, as well as youth work to give children an alternative place to safely hang out. There are kids’ Bible clubs galore right through the summer in the major town of Newtownards and across the whole Strangford constituency. We have a lot of Bible clubs where young people come in, and it perhaps gives parents a chance to get a wee break or respite.

It is not possible for me to highlight all of the services that are offered in our Church, all voluntary and all out of a love for families, and I want to thank all those who so sacrificially give of their time, energy and resources to help struggling families. It would also be remiss of me to forgo mentioning the tremendous work that is carried out in our community groups, which connect older people through craft clubs or tea dances and provide homework clubs as well as youth clubs. There are so many people—I ask each right hon. and hon. Member here to think for a second about the volunteers who do so much in our constituencies and provide those in need with a listening ear. Sometimes people just need someone to talk to, and it is important that they can always call in and know someone is there for them.

I will finish, because I am conscious of time and I want to give the hon. Member for Mansfield (Ben Bradley) a chance to make an equal contribution. Life is tough, and tougher still for struggling families; Churches and community groups are doing a good job, but they want to and could do more if they were better funded and had a larger support base. It is on us as individuals to put pressure on the local and national government and the private sector to help those families and individuals on the right path and to make them feel secure, but that preventive approach is the right one. Sometimes that is the aspect we miss across so many of our local services. We deal with crises when they happen, but often we do not deal with the early signs, and that prevention is arguably more important for a lot of people.

My hon. Friend mentioned duplication and lack of co-ordination. I seem to say this a lot about many different areas, but it seems that, across almost all our public services, whether health, social care, housing or regeneration—even bin collection—we are consistently battling with an increasingly complex array of different organisations with competing priorities, different budget pots and different agendas, with barriers being drawn between those services. I feel that is the result of decades of short-term fixes; over a long time, we have created new bodies and new organisations to deal with particular short-term issues, instead of looking at wholesale reform and change in services or local government, which probably needs to happen.

The challenge across all our services, particularly social services, youth services and similar preventive work, is collaboration. How do we bring those organisations together, overcome the barriers that have been built over decades and pool the resources? How do we get them to work toward shared goals? That is something that family hubs in particular can help to achieve.

Many vulnerable families have a wide range of needs across several different areas, such as mental health, addiction, parenting support programmes or low-level help, such as somebody to go and socialise with. There is a whole variety of challenges, and it is simpler for parents to have a range of services under one roof and to have different departments work as one team so that they communicate better, respond to local needs, catch the warning signs of problems earlier and deal with individuals in a more co-ordinated way.

That also builds trust between organisations and service users in a better way than if people are passed from pillar to post across different departments. Dealing with so many vulnerable individuals in my constituency, I find that trust is often the biggest challenge. People do not get themselves into a situation where their family is on the verge of homelessness if they have not been let down by people along the way, which breaks down trust.

As a councillor in Ashfield in a previous life, I saw at first hand the great benefits of the great work going on there, with cross-organisational collaboration targeting the most troubled families. The results have been amazing for the families and for the taxpayer. The New Cross teams, as they are known—their area, which is one of the most deprived in Ashfield, is called New Cross—target those families who might not always get picked out.

5.2 pm

Ben Bradley (Mansfield) (Con): It is a pleasure as ever to serve under your chairmanship, Sir Graham. I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on securing this debate on a very important issue. I commend the work she has done and the passion she shows for strengthening families. I approach this debate from the point of view of my own passion for early years, primary schools and early intervention, particularly in vulnerable families and deprived communities, such as the many I see in my constituency.

In Mansfield, there is a high level of family breakdown, deprivation, domestic violence and other very concerning problems that particularly affect families. I am keen to ensure that we have the support services available to help those families, and I have been working with a number of local organisations in support of that. Family hubs are an excellent initiative to help the most vulnerable families by providing accessible early intervention and lifelong support. Often only a low level of support is required to keep families and individuals on the right path and to make them feel secure, but that preventive approach is the right one. Sometimes that is the aspect we miss across so many of our local services. We deal with crises when they happen, but often we do not deal with the early signs, and that prevention is arguably more important for a lot of people.

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Those families have been dealing with one department because there is rubbish on their lawn, with another department because their children are absent from school and with another department for something else, and the police are aware of them because of antisocial behaviour, but nobody looks at the whole picture. If we do that, it is clear that they are not able to support themselves and have a range of challenges.

When we bring services together under one roof in what is effectively a family hub, although without the premises, they work across different departments. The family has one point of contact, who can deal with all those services for them and take a holistic approach to supporting the whole family with a range of issues, instead of dealing with little bits in isolation.

Mansfield has some great examples of schools—such as Forest Town primary—with what is known as nurture provision, supporting the most vulnerable children at primary school. It is almost a school within a school, providing holistic care for those kids to help them engage with primary education early, so that when they are 15 or 16, they do not become the kids who are expelled and who have a whole range of different problems in their adolescence. The earlier we can get families access to that kind of support, the better.

We also have Sure Start centres, which provide useful services for expectant parents and young children. I am keen to protect all those programmes, as we need to, but bringing services together is helpful and helps to direct families locally. If they have one point of contact that they are made aware of early on, they always know where to go to get help.

The creation of family hubs would offer a greater level of service. There are opportunities to bring different services together under one roof and potentially to expand them, while saving money in many cases if authorities can work together, which, as I have said before, is often a big challenge. A number of organisations have called for the Government to review these services, and I wonder whether the Minister might touch on that, and particularly on youth services, Sure Start and so on, where local government finances are sometimes challenging for some of these non-statutory services.

Action for Children has called for a new vision for the future of early years services, starting with a review of early years support to understand the level of provision and the best practice that exists around the country. I support such a review as it would help local authorities to deliver the best care. As with anything, there are some councils, local authorities and services that have dealt with funding pressures in a much better way than others. For every bad example of services being lost, there is a great example of a council that has adapted and innovated, and to share that best practice and send it out from this place would be really positive.

Using funding effectively, catching problems early and preventing people from spiralling into a crisis that requires far more expensive and intensive intervention later on is really important for children and families across communities. Children need care and support, and vulnerable families often need assistance in providing that care. I fully support my hon. Friend’s work on family hubs. I hope the Minister’s response will be positive as well.

Tracy Brabin (Batley and Spen) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Graham. I congratulate the hon. Member for Congleton (Fiona Bruce) on securing the debate. It is a great pleasure to speak for the Opposition in what has been an interesting and wide-ranging discussion. I welcome the passion that the hon. Lady has shown in her commitment to families who are struggling against the odds, as well as her celebration of the innovation and determination of councils across the country to keep families at the centre of all they do.

I pay tribute to the hon. Members for Strangford (Jim Shannon) and for Upper Bann (David Simpson), who both focused on how faith groups can bring communities together. Our Muslim community in Batley and Spen certainly works incredibly hard in supporting families. I also pay tribute to the hon. Member for Mansfield (Ben Bradley) for his focus on the preventive approach to early intervention and the impact that it can have. I slightly take issue with the hon. Member for Henley (John Howell)—he is no longer in his place—who said that middle-class mums do not deserve the same attention and protection. They can have the same struggles as others, such as with breastfeeding or with their postpartum mental health.

Fiona Bruce: We all have our challenges in developing healthy, wholesome relationships. Family income is no discriminator in that.

Tracy Brabin: I could not agree more. A struggling parent will struggle whatever their income.

As we have heard, the proposals for family hubs have come from Members from across the political spectrum. The mission statement from the hon. Member for Congleton is certainly commendable. It is to “co-locate superb early years health and other services with help for parents with children across the age ranges”.

Many wish to see the hubs encompass other services, such as jobcentres and relationship advisers, along with more conventional children’s centres.

The potential merits and points of discussion about family hubs are more substantial than one could hope to fit into a single short speech, so I will look at the impact of Government policies on services that would be incorporated into them. First, it is important to acknowledge that we already have a highly successful model of support for families. It is robust, has been tested and is highly popular with families from all communities. It is called Sure Start.

Unfortunately, the number of Sure Start units and children’s centres have been in rapid decline in recent years. In the late `90s and the noughties, Sure Start grew to become a staple of communities across our country, providing immeasurable educational, health and social support to millions. However, the respected and independent Sutton Trust tells us that 1,000 Sure Start centres have closed since 2010. Furthermore, Action for Children states that local authority spending on early years services has fallen by more than half since 2010.

We should therefore not look at family hubs in isolation. We must make sure that they retain a clear early years focus and a strong offer to families. It is in the early years that we see the fastest development of our brains...
and neurological pathways, so the right early years support can give children the best start in life and help to close the developmental gap between poorer children and their peers.

That is not to mention the serious health problems facing children, which are a growing concern. One in three primary school children in year 6 are either overweight or obese, and if the childhood obesity crisis is not tackled, half of all UK children will be obese or overweight by 2020. That problem is much worse in the most deprived areas. A quarter of five-year-olds in England suffer from tooth decay, making it the leading cause of hospital admissions for five to nine-year-olds. Around three children and young people in every classroom have a diagnosable mental health condition. No matter what the services are in local areas, it is clear that they certainly have their work cut out for them.

We believe that early years services have been cut to a shameful extent, and that the growing postcode lottery is completely unacceptable. All family hubs must keep the early years and children’s centres ethos very much at their heart.

Fiona Bruce: One pressure on local authorities is that of the increasing acute needs, which is what we seek to tackle. As the Children’s Commissioner highlighted, the funding disparity is great. It costs £204,000 a year to house a child in a secure children’s home and £100,000 a year to house a teenager in a young offenders institution. However, behavioural problem support can be delivered in a group setting at an early stage for around £1,000 per child. We must do that early intervention. The pressures on local authorities are so huge—look at the kind of figures I quoted—that they inevitably impact on what they can do by way of earlier intervention.

Tracy Brabin: I really do appreciate that intervention. I also read that report and found those numbers incredibly startling. It is common sense, is it not? Getting it right in the early years will be cost-effective. If a child is admitted to hospital to have their teeth out due to decay, that is costly for the NHS. Bringing dental health and similar schemes into early years provision might mean less of an impact on NHS budgets.

On early years, will the Minister provide a progress update on the consultation into children’s centres, and confirm whether work on that is ongoing and whether we should expect to see a published consultation? The consultation has been more than three years in the making and is on an incredibly important policy area. Will he please take this opportunity to give some transparency on the issue?

Lastly, Sir Graham, all that is left is for me to wish you, the Minister and all Members a peaceful and rewarding recess.

5.17 pm

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): It is truly an honour and a privilege to serve under your chairmanship, Sir Graham. I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on securing this important debate, and I thank my hon. Friends the Members for Mansfield (Ben Bradley) and for Henley (John Howell) and the hon. Members for Strangford (Jim Shannon) and for Upper Bann (David Simpson) for contributing.

I am grateful for this opportunity to set out the Government’s position on supporting families so that no community is left behind. Social mobility is a priority for our Department, as it is across Government, and we welcome local initiatives that support families—particularly those who are disadvantaged. My hon. Friend the Member for Congleton called for a Cabinet-level Minister with the responsibility to ensure that family policy is prioritised and co-ordinated. I say to her that the Government are already committed to supporting families. That is why, as she knows, we introduced the family test in 2014 and continue to support its application to policy across government.

Fiona Bruce: Will the Minister give way?

Nadhim Zahawi: Let me just make some headway. I will come back to my hon. Friend if time permits, because I have a lot to say about this subject.

We share a common view about the importance of effective local support for families. That is why the Government’s legislation and funding is designed to give local authorities the freedom to decide the best way to deliver their services, based on their understanding of their local needs and the character of their areas. My hon. Friend the Member for Mansfield mentioned that, for every council that is not doing well, there is a very good example of one that has done well for its families. We welcome the development of family hubs as a way to meet local need. We encourage local authorities to adopt the family hub approach, which aims to build stronger relationships and co-locate services, if they believe it would deliver improved outcomes for their areas.

We already know that many councils are moving toward that model of support, working with local statutory, voluntary—as the hon. Member for Strangford mentioned—community and private sector partners. When I was promoted to Minister, one of the first meetings I had was with Lord Farmer and the team that put together the manifesto. I have already promised my hon. Friend the Member for Congleton that I would visit a family hub in Essex and I still plan to do so.

What we are discussing today is how we can ensure that strong, effective local services provide effective support for families and children. I would like to take this opportunity to talk about the work that the Government are doing to deliver that. The strengthening families manifesto argues that Government should be working to put in place a nought-to-19 model across the country. We know others advocate for a sharper focus on younger children, proposing that children’s centres focus on a nought-to-two age range. The shadow Minister talked about that early intervention.

My view is that both of those models, depending on local circumstances, could work and provide much needed support to families, just as I am sure that there are other models that can work, too. Let me be clear, it is for local authorities to determine the model that they believe will work best for them, based on their area’s specific needs and on the history of local provision, local community circumstances and priorities.

Tracy Brabin: The difficulty for some councils—in Kirklees, for example—is that 50% of their budget has been cut since 2010, so they are having to slice the pie into even smaller slices. Should the pie not be bigger?
Nadhim Zahawi: We have provided £200 billion in this five-year review—this current spending round—to local government. Local government has increased spending on children’s services. Last year it spent £9.2 billion.

I recently visited Greater Manchester, where I met the Mayor, Andy Burnham. Greater Manchester, which includes 10 local authorities—as you, rightly, know; Sir Graham—is an excellent example of an area where powers and responsibilities have become more devolved, and the Mayor can take decisions in areas such as health. The Government’s role is to engage actively with the sector to find out what works and to support local areas to make the right decisions for their communities, which might include implementing family hubs.

That is why as part of the Department for Education’s social mobility action plan, “Unlocking Talent, Fulfilling Potential”, we announced an early years social mobility peer review programme, which my hon. Friend the Member for Congleton mentioned. We are partnering with the Local Government Association to deliver this initiative. Peer reviews will be led by multidisciplinary teams, and will support councils to identify actions and reforms to improve local outcomes in the early years. The programme will also look at what works, including the effective models for service provision, such as family hubs and children’s centres. That was something my hon. Friend called for in her speech. I think she is nodding away. I hope that she appreciates that that is an important part of this work.

I have asked my officials to ensure that the local government programme understands fully how the family hub model works and where the most effective practice is taking place. My officials would be happy to work with my hon. Friend the Member for Congleton to do that.

An example of how we are strengthening local delivery to support families is the reducing parental conflict programme, introduced by the Department for Work and Pensions. Good quality relationships between parents are critical for setting children up for life. Recent evidence has shown that children who are exposed to frequent, intense and poorly resolved conflict can experience a decline in their mental health and suffer poorer long-term outcomes. The reducing parental conflict programme, again, puts local areas at the heart of its delivery, helping them to embed parental conflict support into wider services for children and ensure evidence-based interventions are more widely available to improve children’s outcomes.

The troubled families programme is an excellent example of how central Government can work with local authorities to strengthen local services, drawing on evidence of what works, but allowing for the development of local solutions. My hon. Friend the Member for Mansfield mentioned a similar programme that he witnessed. I was in Islington and witnessed some of the cases there, where the troubled families programme was exactly the sort of programme needed. It aims to achieve significant outcomes. For example, by the strengthening families manifesto, it started with 100,000—with multiple high-cost problems.

The programme, delivered through local authorities and their partners, advocates a whole-family integrated approach across multiple services.

The programme’s focus on preventive services is already starting to show a positive impact in reducing demand on children’s social care. The emerging evaluation results show that, in families on the programme, six to 12 months after intervention, the proportion of children designated as children in need decreased by 14%, compared with the period just before the start of intervention. We know that many local areas have used programme funding to establish a family hub model, similar to that recommended by the strengthening families manifesto. Those hubs are being used to deliver their local programmes for complex families. Almost £1 billion has been committed to the programme from 2015 to 2020.

The hon. Member for Strangford talked about mental health. The Government’s Green Paper, “Transforming children and young people’s mental health provision”, announced ambitious proposals to provide earlier support for children and young people’s mental health. It recognises that secure attachment with a parent or carer is a protective factor for children and young people’s mental health, and commits to commissioning further research in that area. This includes supporting healthcare professionals to understand the importance of healthy, low-stress pregnancies and healthy childhoods, and increasing the capability of midwives to support women with perinatal mental health issues. We are also partnering with Public Health England, so that health visitors can do some work on speech and language therapy at the very early stage of intervention.

We are committed to incentivising every school and college to identify a designated senior lead for mental health, fund new mental health support teams, and trial a four-week waiting time for access to specialist NHS children and young people’s mental health services. The Green Paper consultation response, which we aim to publish imminently, will set out the next steps in implementing the Green Paper.

The shadow Minister asked about children’s centres. I have to say that rather than doing another consultation or review, let us look at where things are really working well. Take Newcastle or Staffordshire, for example, where the local authority has taken an active role to close some of the children’s centres but focus on outreach and keeping those children’s services where the most disadvantaged families need that help. We have looked at the six local authorities where the most children’s centres have closed. Out of the six, four are doing better in closing the development gap, one is about flat and the other is oscillating. I suggest to the shadow Minister that it is not about bricks and mortar. I do not want to make this into a party political debate.

I am grateful to my hon. Friend the Member for Congleton for securing the debate. The Government are clear about the importance of improving outcomes for children, particularly the most disadvantaged in our communities. I entirely agree that strong local services are essential, and it is important that we continue to encourage and learn from innovations such as family hubs, and ensure that leaders have the information they require to design and deliver the services that will best address local need.

We have the ability to look strategically at the whole country—the whole of England, certainly—and to disseminate best practice. That is one of the things I passionately believe in. The Government have a key role to play in ensuring we deliver for those families. Finally, I would like to say to my hon. Friend the Member for
Congleton that I do not need to be in the Cabinet to champion families and the wellbeing of all of our families in our communities.

5.28 pm

**Fiona Bruce:** I thank the Minister for his response. I supplied him with a copy of my speech earlier, so I am pleased he has responded to some of the calls in it. Perhaps he can write to me on other calls to which he has not responded.

I take issue with the Minister about the family test. It has barely been applied in practice. I ask that he looks at the written questions that I have sent to every Department in the past few months, which evidence this. On the funding for children’s mental health, I note his comment about support teams being in every school, but unless they are properly trained to work with the families of the children they are helping, they will not be as effective as they need to be. I do not agree with the Minister that there is adequate co-ordination across Government on family support; it needs to be stronger. I am grateful that he is willing to be a champion of this and I look forward to him doing so in the future.

Finally, it is right that local authorities deliver these services, but national Government have the authority to rocket-boost action. That is what we are seeking, because that is not what has happened to date.

5.30 pm

*Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).*
Written Statements

Monday 16 July 2018

TREASURY

Taxation (Cross-border Trade) Bill

The Financial Secretary to the Treasury (Mel Stride): I have today published a written submission outlining the Government’s analysis of how the English votes for English laws principle relates to all Government amendments tabled for Report stage of the Taxation (Cross-border Trade) Bill.

The Department’s assessment is that the amendments do not change the territorial application of the Bill.

I have deposited a copy of the submission in the Libraries of the House.

FOREIGN AND COMMONWEALTH OFFICE

Annual Human Rights and Democracy Report 2017


The report analyses human rights developments overseas in 2017 and illustrates how the Government work to promote and defend human rights globally.

The report assesses the situation in 30 countries, that the FCO has designated as its human rights priority countries. These are Afghanistan, Bahrain, Bangladesh, Burma, Burundi, Central African Republic, China, Colombia, Democratic People’s Republic of Korea, Democratic Republic of Congo, Egypt, Eritrea, Iran, Iraq, Israel and the Occupied Palestinian Territories, Libya, Maldives, Pakistan, Russia, Saudi Arabia, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Turkmenistan, Uzbekistan, Venezuela, Yemen and Zimbabwe.

This year marks the 70th anniversary year of the universal declaration of human rights.

The report I have laid before Parliament today demonstrates that the principles and values enshrined in the universal declaration remain as crucial as ever.

It also serves as a reminder that ensuring universal respect for those principles remains a difficult task.

The UK Government will continue to play a significant part in this endeavour to protect the “inherent dignity” of “all members of the human family”.

INTERNATIONAL TRADE

Trade Bill: Government Amendments on Report

The Minister for Trade Policy (George Hollingbery): The English votes for English laws process applies to public Bills in the House of Commons. To support the process, the Government have agreed that they will provide information to assist the Speaker in considering whether to certify the Bill or any of its provisions for the purposes of English votes for English laws. Bill provisions that relate exclusively to England or to England and Wales, and which have a subject matter within the legislative competence of one or more of the devolved legislatures, can be certified.

Report Stage Amendments

The memorandum, which I will place in the Libraries of both Houses, provides an assessment of Government amendments tabled to the Trade Bill, for the purposes of English votes for English laws, ahead of Report stage in the House of Commons. The Department for International Trade’s assessment is that the amendments do not change the territorial application of the Bill, for the purpose of Standing Order No. 83L of the Standing Orders of the House of Commons as set out in the explanatory notes to the Bill at introduction and as reproduced below. The above assessment is represented in tabular form below:

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Fiscal Risks and Managing Fiscal Sustainability Report

The Chief Secretary to the Treasury (Elizabeth Truss): Today sees the publication of two reports which underscore the need for continued fiscal responsibility: the Office for Budget Responsibility’s (OBR) 2018 Fiscal Sustainability Report (FSR) and the Government’s report on Managing Fiscal Risks [CM 9647]. The publication of the FSR fulfils the OBR’s legal obligation to publish an analysis of the sustainability of the long-term public finances and an assessment of the public sector balance sheet at least once every two years. Managing Fiscal Risks fulfils the Government’s obligation to respond to the OBR’s 2017 Fiscal Risks Report (FRR). These reports have been laid before Parliament today and copies are available in the Vote Office and Printed Paper Office.

These reports come at a turning point for the public finances. The Government have made significant progress in repairing the public finances over the past eight years. The deficit has been cut by over three quarters from its post-war peak of 9.9% of GDP in 2009-10 to 1.9% in 2017-18. The debt-to-GDP ratio is now forecast to have peaked last year and to begin its first sustained fall in a generation from this year.

Both reports illustrate the long-term pressures and risks to the public finances, underscoring the importance of locking in this hard-won progress and continuing to reduce debt. As analysis by international experts and the OBR’s own fiscal stress test has shown, Governments with high levels of debt are more vulnerable to shocks and have less room to use fiscal policy to mitigate their impact on the economy. Moreover, leaving Government debt at current levels would see the burden of servicing that debt rise to levels not seen since the mid-1980s if interest rates normalise in the way assumed in the OBR’s long-run projections. This would pass an unacceptable burden on to the next generation.

The Government are therefore committed to continuing to reduce debt as a share of GDP.

The 2018 FSR projection shows that, left unaddressed, demographic change and non-demographic cost pressures on health, pensions, and social care would push the debt-to-GDP ratio to over 280% of GDP by 2067-68. One of the most important drivers of the long-run fiscal outlook in the FSR is health spending, which the OBR projects will rise from 7.6% of GDP in 2022-23 to 13.8% in 2067-68 in the absence of action to increase productivity and contain costs. While this is partly explained by population ageing, most of the projected increase is due to non-demographic cost pressures—including the low productivity of the health sector relative to the rest of the economy; increases in chronic conditions; and improvements in technology and medical research leading to the provision of new drugs and treatments.

The Government recognise that the NHS will need additional resources to help meet these pressures. In June, the Prime Minister announced that the NHS in England will receive an increase in funding over the next five years that equates to over £20 billion a year more in real terms by 2023-24. The Government also recognise the need for action being taken to address long-term cost drivers in health. The final settlement will be confirmed at a future fiscal event, subject to an NHS 10-year plan that delivers the efficiency, productivity, and performance improvements necessary to help address the long-term cost pressures highlighted by the OBR.

The Government will fund this five-year commitment in a responsible way, while continuing to meet its fiscal rules and reduce debt. As the Prime Minister has said, this will be partly funded by money that we will no longer spend on our annual membership subscription to the European Union after we have left. In addition, across the nation, taxpayers will need to contribute a bit more in a fair and balanced way to support the NHS we all use.

The Government are also determined to tackle the other risks and pressures facing the public finances, to lock in the hard-won progress we have made in reducing borrowing and getting debt falling. The OBR’s 2017 Fiscal Risks Report provided the UK’s first ever survey of the potential risks to the public finances and was recognised by the IMF, OECD, and others as the most comprehensive report of its kind and the only one produced by an independent body. By publishing our response today, the Government invite Parliament and the public to hold us to account for the responsible management of those risks.

Managing Fiscal Risks shows how the Government are tackling these risks as we continue to repair the public finances for the benefit of current and future generations—following our balanced approach to the public finances, getting debt falling while investing in our vital public services and keeping taxes as low as possible.

The report sets out the specific steps the Government are taking to mitigate key sources of risk identified by the OBR. These include actions to reduce the likelihood and cost of financial crises, adapting the tax system to a changing economy, improving the sustainability of the state pension in the light of rising longevity, tightening controls over the issuance of loans and guarantees, and managing the Government’s inflation exposure by considering the appropriate balance of index-linked and conventional gilts.

It also highlights that in the long run, boosting productivity growth would accelerate the return to fiscal sustainability and alleviate pressures on taxpayers and public services. The Government are taking forward a comprehensive strategy for boosting productivity based on supporting long-term investment in physical, human and intellectual capital.

Supporting the vision set out in the modern industrial strategy, the Government are increasing investment in key productivity-boosting infrastructure; The National Productivity Investment Fund will provide £31 billion of additional investment in areas critical to improving productivity and £1 billion in improving the UK’s digital infrastructure. We have increased public support for R&D to its highest level in 30 years and are committed to increasing public and private investment in R&D to 2.4% of GDP by 2027.

The Government are also committed to making sure that Britain is the world’s most attractive location for private investment. We are supporting UK businesses
by delivering a competitive tax system that supports growth and investment—including by reducing the corporation tax rate from 28% to 19% today, the lowest in the G20.

Building human capital through strengthening education and training is a priority for the Government. We are taking action to transform technical education and help prepare people for the high-skilled jobs of the future, by investing in apprenticeships through the introduction of the apprenticeship levy, introducing a national retraining scheme, and introducing T-levels, which will mean that all 16-18 olds have a choice of technical and academic routes of equal status and quality.

These OBR reports and the Government’s Managing Fiscal Risks report keep the UK at the frontier of fiscal management internationally and demonstrate the Government’s commitment to fiscal transparency and accountability. No other Government are so open about the risks to the public finances or more determined to manage them responsibly for the benefit of current and future generations.

[HCWS862]

DEFENCE

Combat Air Strategy

The Secretary of State for Defence (Gavin Williamson):

On 21 February 2018, I informed the House that the Ministry of Defence (MOD) would produce a strategy for the combat air sector. Development of the strategy has drawn heavily on expertise from across defence, wider Government, academia, think-tanks, industry and international partners. The approach adopted is driven by the developing themes of the modernising defence programme and the recent review of defence’s contribution to national economic and social value conducted by the hon. Member for Ludlow (Philip Dunne).

Defence of the UK, protection of our people and our contribution to securing the rules-based international order requires us to deter adversaries by having the capability and the will to use decisive force to deliver our defence, foreign policy and economic objectives. The threats we face are evolving and proliferating ever more rapidly. World-class combat air capability allows us to maintain control of the air both at home and around the world.

The UK combat air sector provides the capability to underpin our operational advantage and freedom of action[1]. It also makes a significant contribution to the UK economy and our international influence. The UK is a global leader in combat air, with cutting-edge military capability underpinned by world-class industrial and technical know-how.

The UK combat air sector has an annual turnover of over £6 billion and directly supports over 18,000 highly skilled jobs across the UK. It supports over 100,000 jobs in the supply chain and more than 2,000 companies across the UK. The UK is the world’s second largest exporter of defence equipment with defence aerospace representing over 80% of the value of these exports. We are at the heart of a number of key international programmes, including F-35—the largest defence programme in the world. Our position was secured through world-leading intellectual property, understanding, innovation and industrial capability. As we leave the EU, we will continue to seek partnerships across Europe and beyond to deliver UK, European and global security. To do this we must retain access to our proud industrial base. The UK’s combat air sector is therefore critical to the UK’s prosperity, our global Britain outlook and our ability to deliver the best capability to the front line.

The future of the UK’s combat air sector is, however, not assured. There has been a gap between major combat air development programmes and a clear indication of future UK military requirements is required to stimulate the research and development investment necessary to refresh UK intellectual property.

Today I can announce the publication of the UK combat air strategy. The strategy defines a clear way ahead to preserve our national advantage and maintain choice in how it is delivered. The MOD will work with wider Government, industry and international partners to deliver the strategy by taking the following steps:

The MOD will continue to invest in upgrading Typhoon to maintain its world-class capabilities for the coming decades.

The MOD will provide investment in key UK design engineering skills and a means to UK combat air strategy generate UK intellectual property by implementing the future combat air system technology Initiative. The initiative was established by the 2015 strategic defence and security review and builds on recent UK technology investment.

The MOD will initiate the UK’s capability acquisition programme to define and deliver the future capabilities required when Typhoon leaves service by 2040. An initial acquisition decision will be made by the end of 2020.

UK Government and industry will work together to achieve a more open and sustainable industrial base which invests in its own future, partners internationally and breaks the cycle of increasing cost and length of combat air programmes.

The UK will take a strategic approach to combat air decisions. This will maximise the overall national value the UK derives from the sector; balancing military capability, international influence, economic and prosperity benefits.

Effective international partnering in combat air is fundamental to the delivery of our national goals and management of cost. The UK will work quickly and openly with allies to build on or establish new partnerships to define future requirements and how they could be delivered in a mutually beneficial manner.

By preserving our ability to maintain operational advantage and freedom of action, the strategy will ensure we have greater choice in how we deliver future capabilities and are able to maximise the economic and strategic benefits of future combat air acquisition programmes.

A copy of the combat air strategy has been placed in the Library of the House.

I will report annually to Parliament on progress in implementing the strategy.

[1] The ability to find and maintain an edge over potential adversaries, both to increase the chances of our success in hostile situations and to increase the protection of the UK assets involved, especially our people.

[2] The ability to determine our internal and external affairs and act in the country’s interests free from intervention by other states or entities, in accordance with our legal obligations.

[HCWS859]
ENVIRONMENT, FOOD AND RURAL AFFAIRS

Surface Water Management Action Plan

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): Surface water flooding happens when intense rain from storms overwhelms local drainage capacities. It is caused by short heavy rainstorms, tends to affect localised areas and is more difficult to forecast than flooding from rivers and the sea.

Managing surface water can be complex because it is difficult to forecast which areas the storms will affect, to understand the routes the water will take when it falls, and because there are many parties with relevant responsibilities.

The Government have today published their surface water management action plan on www.gov.uk. This action plan will bring our preparedness for surface water flood risks more closely into line with that for risks from main rivers and the sea. It delivers a commitment in the national flood resilience review and includes a number of actions to both improve our understanding of the risks and strengthen delivery. The action plan covers:

- improving risk assessment and communication;
- making sure infrastructure is resilient;
- clarifying responsibilities for surface water management;
- joining up planning for surface water management; and
- building local authority capacity.

[HCWS860]

FOREIGN AND COMMONWEAL TH OFFICE

International Criminal Justice

The Secretary of State for Foreign and Commonwealth Affairs (Mr Jeremy Hunt): Today is the Day of International Criminal Justice, which provides an opportunity to update Parliament on UK support for the principles and institutions of international criminal justice in the previous calendar year.

The UK maintains that those who commit atrocities should be held to account. As such, support for international criminal justice is a fundamental part of the UK’s foreign policy. Our approach is not limited to punishing the perpetrators—it seeks to help victims and their communities come to terms with the past, contribute to lasting peace and security, and deter those who might otherwise commit such violations in the future.

The International Criminal Court (ICC) is the world’s first permanent independent international criminal court with jurisdiction over the most serious crimes of international concern, and is complementary to national criminal jurisdiction. The UK Government believe that the ICC can play an important role in pursuing accountability when national authorities are either unable or unwilling genuinely to do so. We provide both political and financial support to the court, contributing £8.9 million in 2017. As of the end of 2017, the court had issued 31 arrest warrants, handed down verdicts in six cases and convicted nine individuals, one of whom has since been acquitted on appeal. It is currently considering cases from Africa, the middle east, Europe, South-East Asia and South America.

During the course of 2017, the court made reparations awards to the victims of Thomas Lubanga Dyilo and Germain Katanga, both convicted of war crimes in the Democratic Republic of Congo, and Ahmad Al Faqi Al Mahdi, convicted of destroying cultural heritage sites in Timbuktu. The UK contributed £400,000 to the court’s Trust Fund for Victims to support its work, which has included counselling for rape victims, provision of prosthetics and work to remove any stigma that may attach to child soldiers in Uganda and the Democratic Republic of Congo.

When the Rome Statute entered into force in 2002, three crimes were agreed to be within the immediate jurisdiction of the ICC: war crimes, crimes against humanity, and genocide. The court’s jurisdiction over a fourth, the crime of aggression, was postponed pending further consideration by states parties. In December 2017, the ICC Assembly of States Parties agreed to activate the court’s jurisdiction over the crime of aggression. It did so on the basis that all states parties explicitly agreed and confirmed in a consensus-based decision that, in the case of a state referral or proprio mutu investigation, the court shall not exercise its jurisdiction regarding a crime of aggression when committed by a national, or on the territory, of a state party that has not ratified or accepted the relevant amendments to the Rome Statute. The UK has no plans to ratify the crime of aggression amendments and welcomes the decision as an authoritative, unqualified and clear interpretation of the amendments to the Rome Statute on the crime of aggression, in accordance with article 121 paragraph 5 of the Rome Statute. The activation of the court’s jurisdiction for this crime takes place today.

The International Criminal Tribunal for the former Yugoslavia (ICTY) closed at the end of 2017. In its 24 years of operation, the tribunal indicted 161 individuals for serious violations of international humanitarian law and provided a comprehensive historical record of the atrocities committed during the Balkans conflicts. One of its last acts was the conviction and sentencing of former Bosnian Serb military leader Ratko Mladic to life imprisonment for the Srebrenica genocide and other serious crimes during the 1992-95 conflict in Bosnia. Any outstanding work of the ICTY will now pass to the Mechanism for International Criminal Tribunals (MICT), which also assumed the residual functions of the ICTY.

In addition to the MICT and ICTY, the UK provides practical and financial support to the Extraordinary Chambers in the Courts of Cambodia, which was established to prosecute crimes committed by the Khmer Rouge regime in the 1970s; the Special Tribunal for Lebanon; and the Residual Special Court for Sierra Leone. Our contributions to these tribunals totalled £5.8 million in 2017.

The UK has also been at the forefront of international efforts to gather and analyse evidence of atrocities committed in the middle east. In 2017, we contributed £200,000 to the UN International Impartial and Independent Mechanism (HIM) to support the preparation of legal cases for serious crimes committed in the
Syrian conflict. The UK also led efforts to adopt a UN Security Council resolution establishing an investigative team to collect, preserve and store evidence of Daesh atrocities in Iraq, and contributed £1 million towards its eventual operation.

[HCWS864]

**HOME DEPARTMENT**

Rotherham Independent Review of Child Sexual Abuse

The Secretary of State for the Home Department (Sajid Javid): The Home Office is today publishing an independent review of information passed to the Home Office in connection with allegations of child sexual abuse in Rotherham (1998 to 2005).

This independent review was commissioned by my right hon. Friend the Prime Minister, when she was Home Secretary, in response to suggestions contained in Professor Alexis Jay’s independent inquiry into child sexual exploitation in Rotherham (1997 to 2013). These indicated that in the course of funding and evaluating a Rotherham-based research project, the Home Office may have been passed information about the scale of child abuse in Rotherham and the response of local agencies such as the police and the local authority that should have raised concern. In particular, Professor Jay saw a document believed to have been written by a Home Office project researcher sometime in 2002 which—although the town was not named—contained a description of the extent of child sexual exploitation in Rotherham and a series of criticisms regarding the way in which this was being dealt with.

In response to these reports, my right hon. Friend the Prime Minister, as Home Secretary, announced that the Department would conduct a thorough analysis of all relevant papers covering the period in question to ascertain exactly what information had been made available to the Home Office. She confirmed this work would be independently reviewed by Peter Wanless, chief executive of the NSPCC, and Richard Whittam QC to ensure it had been conducted absolutely properly.

I can confirm that today’s publication includes Mr Wanless and Mr Whittam’s independent review and the internal Home Office review that this assesses.

The Home Office internal review could not locate key documentation produced by the project researcher in Home Office internal records, but notes records were imperfectly operated, meaning it could have been received. However, the review did find that pieces of information questioning the response of statutory services were available to the Home Office, meaning that opportunities to follow up on, or seek further information about matters in Rotherham, including whether the police and other statutory agencies were responding appropriately, existed.

Mr Wanless and Mr Whittam were content that the methodology of this review was sound and that the findings were reasonable. They made one recommendation to the Home Office, in summary, that the Home Office should record allegations of child abuse, what information is sent to the police, and what the result of that referral has been. I would like to take this opportunity to thank Mr Wanless and Mr Whittam for their work on the independent review.

As public servants, we all have an important responsibility to raise and respond effectively to any safeguarding concerns we may encounter in the work we do—not least allegations of child sexual abuse.

The Home Office fully accepts Mr Wanless and Mr Whittam’s review and since 2014, the Department has introduced a recording and referral system for allegations of child abuse to address their precise recommendation.

The Permanent Secretary and I take this issue extremely seriously and the Home Office will continue to promote among all staff the vital importance of using all available information to consider if a child is at risk of abuse.

[HCWS866]

**HOUSE OF COMMONS COMMISSION**

Restoration and Renewal: Shadow Sponsor Board

Tom Brake (Carshalton and Wallington) (Representing the House of Commons Commission): Both Houses have decided that the next phase of the restoration and renewal programme should be overseen by a sponsor board and delivery authority. While it is anticipated that these bodies will be placed on a substantive footing by primary legislation in due course, the Commissions of both Houses have agreed to establish the sponsor board in shadow form, with the following members:

Elizabeth Peace CBE (Chair)
Lord Carter of Coles
Lord Deighton KBE
Right hon. the Lord Geidt GCB GCVO OBE
Neil Gray MP
Brigid Janssen
Right hon. Sir Patrick McLoughlin MP
Marta Phillips OBE
Baroness Scott of Needham Market
Mark Tami MP
Simon Thurley CBE
Simon Wright OBE

The shadow sponsor board will act as the single client accountable to Parliament and own the budget, business case and scope of the programme.

The recruitment of the Chair and the other external members was overseen by an independent recruitment panel, chaired by the right hon. Dame Janet Paraskeva DBE, a former First Civil Service Commissioner. Other recruitment panel members possessed major projects and heritage experience. The panel’s role was to make a recommendation to the Commissions regarding the most appropriate candidates for the roles following a full and open competition. The panel unanimously recommended the appointment of the Chair and the other external members. The appointment of the external members is subject to satisfactory references and security clearance.

The parliamentarians on the board were nominated by the political parties and groups in both Houses.

[HCWS861]
The Parliamentary Under-Secretary of State for Justice (Edward Argar): I have laid a draft proposal for a remedial order to amend section 9 of the Human Rights Act 1998 (HRA) to allow an award of damages in a new set of circumstances. This is to implement the judgment of the European Court of Human Rights (ECtHR) in Hammerton v. UK (application no. 6287/10).

The domestic courts found that the applicant in Hammerton v. UK had spent extra time in prison as a result of procedural errors during his committal which breached his rights under article 6 of the European convention on human rights (ECHR) as set out in the HRA (right to a fair trial). He was subsequently unable to obtain damages to compensate for the breach of Article 6 ECHR in the domestic courts because section 9(3) HRA does not allow damages to be awarded in proceedings in respect of a judicial act done in good faith, except to compensate a person to the extent required by article 5(5) ECHR (deprivation of liberty).

In 2016, the ECtHR found a breach of article 6 ECHR and adopted the finding of the domestic court that the applicant had spent extra time in prison as a result of the breach. The ECtHR found that the applicant’s inability to receive damages in the domestic courts in the particular circumstances of this case led to a violation of article 13 ECHR (right to an effective remedy). The ECtHR awarded a sum in damages which has been paid.

Under article 46 ECHR, the UK is obliged to abide by the judgment of the ECtHR in any case to which it is a party. In order to address the finding of a violation of article 13 ECHR in Hammerton, legislative change is required as it was the result of a statutory bar on the award of damages under the existing section 9(3) HRA.

The Government propose to implement the judgment by making a targeted amendment to section 9 HRA to make damages available in respect of breaches of article 6 ECHR arising under similar circumstances to those in Hammerton. It would have the effect that:

- in proceedings for contempt of court;
- where a person does not have legal representation, in breach of article 6 ECHR; and
- the person is committed to prison and the breach of article 6 results in the person spending more time in prison than they otherwise would have done, or causes them to be committed to prison when they would not otherwise have been committed; then a financial remedy would be available to the person to compensate for the breach of article 6 ECHR that resulted in the person spending extra time in prison, or caused them to be committed to prison.

Following consideration of possible legislative options, the Government consider that there are compelling reasons to amend the HRA by remedial order under the power in section 10 HRA to take remedial action where a provision of legislation is incompatible with an obligation of the United Kingdom arising from the ECHR.

This draft proposal for a remedial order is being laid under the non-urgent procedure. It will be laid for a period of 60 days during which time representations may be made. The Joint Committee on Human Rights will scrutinise the remedial order and report on it to the House. Following that, the draft order, with any revisions the Government wish to make, will be laid for a further 60 days before being considered and voted on by both Houses.

[HCWS863]

LEADER OF THE HOUSE

Independent Complains and Grievance Policy

The Leader of the House of Commons (Andrea Leadsom): In November, my right hon. Friend the Prime Minister convened a cross-party working group to establish a new independent complaints and grievance procedure, in response to reports of sexual harassment and bullying in Parliament. The House agreed to implement the proposals for the new procedure set out by the Working Group in February.

Today, I am pleased to attach to this statement a copy of the Programme Team’s delivery report, which is endorsed by all members of the Steering Group who have overseen the process of implementing the Working Group’s proposals.

It is available online at: https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-07-17/HCWS865.

[HCWS865]
Conflict, Stability and Security Fund

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington): I wish to update the House on the progress of the Conflict, Stability and Security Fund (CSSF) for the financial year 2017-18, as well as to announce the initial regional and thematic allocations for this financial year 2018-19.

The CSSF is a cross-government fund which uses both official development assistance (ODA) and non-ODA resources to deliver against both national security and UK aid objectives, through security, defence, peacekeeping, peace-building and stability activity.

Following a review of the cross-government funds, undertaken as part of the national security capability review, ministerial oversight of the CSSF and the Prosperity Fund is now the responsibility of a sub-committee of the National Security Council. I chair this sub-committee, which met for the first time on 13 June, and ensures that both funds deliver effectively on national security priorities and UK aid objectives.

Examples of successful programmes and results, as well as ways in which the CSSF has made improvements, are included in the CSSF annual report, published today. A copy of this document will be placed in the Libraries of both Houses and has been published on gov.uk.

In 2017-18, the CSSF spent £1,182 million against a cross-government allocation of £1,188 million (99.5%). A further breakdown of spend against regional and thematic allocation, by department and by discretionary and non-discretionary spend is included in the annual report. The initial allocated budget for the fund is £1,279 million for FY 2018-19.

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[HCWS874]

DEFENCE

Military Support to France

The Secretary of State for Defence (Gavin Williamson): I wish to update the House on the deployment of three CH-47 Chinook heavy lift helicopters to Mali to support French operations in the Sahel region, which I announced in a written ministerial statement on 18 January 2018 [HCWS413]. All aircraft and personnel have now deployed and flying operations will begin shortly. We are committed to supporting our French allies in this armed conflict, combating terrorism and instability, as well as strengthening our military co-operation with one of our closest allies.

[HCWS867]

EDUCATION

Schools: Response to a Resolution of the House 25 April 2018

The Minister for School Standards (Nick Gibb): I would like to respond to the resolution of the House following the Opposition day debate on school funding on 25 April.
School funding is at a record high and schools have benefited from the introduction of the national funding formula, which came into force in April. The new formula is supported by our investment of an additional £1.3 billion in the core schools budget, on top of what was announced at the last spending review.

Core schools funding will rise from almost £41 billion last year, to £42.4 billion this year and £43.5 billion in 2019-20. This means that real terms per pupil funding in 2020 will be more than 50% higher than it was in 2000.

The new national funding formula is an historic reform which means that, for the first time, resources are distributed according to a formula based on the individual needs and characteristics of every school in the country.

The formula recognises the challenges of the very lowest funded schools, by introducing a minimum per pupil funding level. Under the national funding formula, in 2019-20 all secondary schools will attract at least £4,800 per pupil, and all primary schools will attract at least £3,500 per pupil.

Moreover, the formula allocates every local authority more money for every pupil in every school in 2018-19 and 2019-20. Final decisions on local distribution will be taken by local authorities, but under the national funding formula every school is attracting at least 0.5% more per pupil in 2018-19, and 1% more in 2019-20, compared to 2017-18.

We recognise that the introduction of the national funding formula represents a significant change to the way schools are funded. To provide stability for authorities and schools through the transition, we have previously confirmed that in 2018-19 and 2019-20 each local authority will continue to set a local formula, in consultation with local schools.

Many local councils feel that the right thing to do is to replicate the national funding formula locally, and we support and encourage this. However, we recognise that some areas will want to use their local flexibility to introduce a more tailored local formula, for instance because of local changes in characteristics, rapid growth in pupil numbers or the need to invest more in pupils with SEN or disabilities.

After too many years in which the funding system has placed our schools on an unfair playing field, we are finally making the historic move towards fair funding. Alongside the increased investment we are making in schools, this will underpin further improvements in standards and help create a world-class education system, and build a system that allows every child to achieve their potential, no matter their background.

We know that social care services are facing pressures from rising demand for care, and the Government have taken steps to support the sector. That is why we announced an additional £2 billion central Government funding for adult social care in the 2017 spring Budget. In total, Government have given councils access to up to £9.4 billion additional funding for social care from 2017-18 to 2019-20, including the 2018-19 local government finance settlement announcement of a £150 million adult social care support grant.

The action we have taken means that funding available for social care is increasing by 8% in real terms from 2015-16 to 2019-20.

This funding allows councils to support more people and sustain a diverse care market.

It is also helping to ease pressures on the NHS, including by supporting more people to be discharged from hospital and into care as soon as they are ready.

We have already seen a real difference to services across the country: social care related delayed transfers of care had been rising year on year from 2014 up to February 2017, but since taking action last year we have achieved a reduction of 40%. We are taking additional steps to ensure that those areas facing the greatest challenges improve services at the interface between social care and the NHS.

By passing the Care Act 2014, this Government established a national threshold that defines the care needs that local authorities must meet. This eliminates the postcode lottery of eligibility across England, and means that all councils have statutory duties to look after the vulnerable, elderly and disabled people in their area.

Last year local authorities in England advised over 500,000 people on how to access services to meet their care needs. This includes services provided by leisure, housing, transport and care providers as well as voluntary groups.

According to the Care Quality Commission, 81% of adult social care providers are good or outstanding—testament to the many hardworking and committed professionals working in care to whom we owe a huge debt of gratitude.

But still too many people experience care that is not of the quality we would all want for our own loved ones, and there is too much variation in quality and outcomes between different services and different parts of the country.

The Department of Health and Social Care is working with the adult social care sector to implement Quality Matters—a shared commitment to take action to achieve high quality adult social care for service users, families, carers and everyone working in the sector.

An ageing society means that we need to reach a longer-term sustainable settlement for social care. This is why the Government will publish a Green Paper on care and support to set out our proposals for reform.

The health and social care systems are two sides of the same coin, and decisions on future reforms must therefore be aligned. That is why we will now publish the Green Paper in the autumn, around the same time as the NHS plan. Social care funding will be agreed at the forthcoming spending review, alongside the rest of the local government settlement.

The Minister for Care (Caroline Dinenage): Today I would like to update the House on social care funding following the Opposition day debate of 25 April 2018.
INTERNATIONAL DEVELOPMENT

The Secretary of State for International Development (Penny Mordaunt): This statement sets out the particulars of a short-term arrangement arising from the UK’s intention to become a member of the IIC (the private sector arm of the IADB Group) through the transfer of up to US$6.98 million of UK resources already held in the IADB. These resources form part of a US$725 million capital asset transfer from the IADB (of which the UK is a member) to the IIC, and will be temporarily held by the IADB in an escrow account while the UK’s membership goes through the ratification process and the privileges and immunities sections of the treaty are brought into UK and Scottish law.

Joining the IIC through capital asset transfer offers the opportunity, at no extra cost, to be part of an important organisation in the Latin America and Caribbean region, which will support economic growth and leverage further private sector resources for development financing, as part of the UK’s prosperity agenda. The UK’s membership will deepen economic ties with the region and create opportunities for British businesses, by making it easier for UK companies to win contracts through the IIC.

The only alternative would be to transfer the assets back to the UK Treasury over eight years. However, doing so would go against our Global Britain objective of playing an active, outward facing role in the rules-based international system.

In 2015 the UK was part of a unanimous vote of the bank’s shareholders to merge the bank’s private sector operations into a single consolidated entity, the IIC. This took effect in January 2016, formalised by a treaty signed by members who were providing new capital at that time. The UK opted to join at no cost, as part of an agreed capital transfer from the IADB to IIC which starts this year and spans eight years. This will give the UK a 0.22% shareholding in the IIC.

The IADB obtained permission from governors at this year’s annual meeting in March to initiate the eight year US$725 million capital transfer process, including approval for an initial US$50 million transfer of which the UK’s share is US$482,000. The first transfer took place on 30 March 2018. The timing and size of further transfers will be subject to annual agreement by the IADB’s board of governors but will likely follow the indicative schedule below (set out in the implementation package for the second general capital increase of the IIC). The UK’s share of the transfers is a proportion of the capital that we invested plus the pro rata amount of IIC’s. The UK’s share of the transfers is a proportion of the capital that we invested plus the pro rata amount of IIC’s.

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<table>
<thead>
<tr>
<th>Transfer year</th>
<th>IADB capital to be transferred</th>
<th>Number of UK shares to be transferred</th>
<th>UK share of transfer</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>US$10,000,000</td>
<td>66</td>
<td>US$1,059,322.20</td>
</tr>
<tr>
<td>2019</td>
<td>US$15,000,000</td>
<td>89</td>
<td>US$1,444,530.27</td>
</tr>
<tr>
<td>2020</td>
<td>US$15,000,000</td>
<td>89</td>
<td>US$1,444,530.27</td>
</tr>
<tr>
<td>2021</td>
<td>US$72,000,000</td>
<td>43</td>
<td>US$693,374.53</td>
</tr>
<tr>
<td>2022</td>
<td>US$71,000,000</td>
<td>42</td>
<td>US$683,744.33</td>
</tr>
<tr>
<td>2023</td>
<td>US$72,000,000</td>
<td>43</td>
<td>US$693,374.53</td>
</tr>
<tr>
<td>2024</td>
<td>US$72,000,000</td>
<td>43</td>
<td>US$693,374.53</td>
</tr>
<tr>
<td>2025</td>
<td>US$71,000,000</td>
<td>42</td>
<td>US$683,744.33</td>
</tr>
<tr>
<td>Total</td>
<td>US$725,000,000</td>
<td>431</td>
<td>US$6,981,896.33</td>
</tr>
</tbody>
</table>

(1)2018 and 2019. Half shares non-transferable, so shares transferred differ, rounded down or up while funds paid in are the same.

The UK needs to become a member of the IIC by ratifying the treaty and bringing the privileges and immunities sections of the treaty into UK and Scottish law. Given the estimated timeframes, neither of these processes was possible before the IADB completed the first capital transfer.

To ensure that, despite this delay, the UK can still become a member and maintain the agreed share at its current value, DFID has negotiated to move the UK’s capital share into a no-cost escrow account. An escrow account is a temporary holding account that the IADB will set up, to keep UK funds separate from both the IADB’s and IIC’s accounts until all parliamentary processes are completed and in place. This is the only means of the UK preserving the full value of our share. DFID has sought and received HMT’s approval of this process.

We will be pursuing parliamentary approval as soon as possible to ensure that the UK’s funds remain inactive for as short a time as possible.

[HCWS870]

INTERNATIONAL TRADE

Free Trade Agreements: Consultation

Board of Trade (Dr Liam Fox): Today I am announcing the first public consultations on future free trade agreement negotiations. As I informed the House on Monday 16 July, these consultations will provide one of a number of means by which Parliament, the Devolved Administrations, the public, business, civil society and trade unions can have their say on the Government’s approach to new trade agreements.

Our first consultations will seek views on free trade agreements with some of our closest strategic allies, with whom we have no existing trade agreements—the United States, Australia and New Zealand. I am also opening a consultation on potentially seeking accession to the Comprehensive and Progressive agreement for Trans-Pacific Partnership (CPTPP). Our trade and investment working group discussions with Australia, New Zealand and the United States have been constructive and the Governments of each have expressed a desire to enter negotiations with the UK. These consultations will inform our overall approach to our future trade relationship with these countries.

The US is the UK’s single largest trading partner and foreign investor, accounting for £100 billion of UK annual exports. UK exports to Australia and New
New Zealand meanwhile are growing at 14.8% and 16.8% respectively, a faster pace than our global average. These relationships are mutually beneficial—in total, the UK imported £75.4 billion worth of goods and services from these three markets.

While there are other markets the UK will look to for new agreements in the future, our shared values and strength of trade with the US, Australia and New Zealand make them the right places to focus our initial attention.

The Government are also engaging with members* of the CPTPP about the possibility of the UK joining the agreement in future.

CPTPP is a signed, but not yet in force, plurilateral trade agreement including some of the world’s fastest growing economies that together represent 13-14% of global GDP, and a total population of around 500 million people. If the UK were to join, it would be the second largest economy in the group, and CPTPP’s coverage of global GDP would increase to around 17%.

Alongside these online consultations, which will shortly be available on: www.gov.uk, I will be publishing information packs that set out the characteristics of free trade agreements and the nature of the current trade and investment ties with the countries in question.

The consultations will be open for 14 weeks.

The Secretary of State for Northern Ireland (Karen Bradley): The ongoing absence of a Northern Ireland Executive has meant that a number of key public appointments cannot be made both in Northern Ireland and to some posts appointed by UK Ministers. As I told the House on 20 June, Official Report, column 309, this is an issue that I have been considering carefully.

While my overriding priority remains reaching agreement on restoring an inclusive power-sharing Executive, it is clear that there are current and developing issues in relation to certain public appointments in Northern Ireland that need to be addressed urgently. If an Executive is not in place soon, I intend to take measures to ensure good governance and the continued functioning of vital public bodies. This is consistent with my wider political strategy which aims to ensure we take the necessary action in the absence of Northern Ireland Ministers while we also continue to remove the obstacles to the restoration of a fully functioning Executive and Assembly.

Existing legislation confers responsibility for the most significant public appointments in Northern Ireland on Northern Ireland Ministers. Therefore, in the absence of Northern Ireland Ministers, new legislation is needed in the autumn to enable certain key Northern Ireland and UK appointments to be made.

This legislation would allow for certain specified appointments normally made by Northern Ireland Ministers to be made by the relevant UK Minister, either the Secretary of State or the Lord Chancellor as appropriate to the appointment being made. I have considered whether each appointment is essential for good governance and public confidence in Northern Ireland and my officials have engaged with the main political parties in Northern Ireland.

Currently, I am of the view that the appointments specified in the legislation would address the most pressing appointments held up by the lack of Northern Ireland Ministers, including the Northern Ireland Policing Board, the Northern Ireland Judicial Appointments Commission and the Probation Board for Northern Ireland. Further consideration is being given to the ongoing ability of Northern Ireland departments to make appointments already conferred on them in legislation. The legislation would also need to address those appointments to key UK Government-sponsored bodies that cannot be made as they require consultation with Northern Ireland Ministers, such as the chair of the Disclosure and Barring Service. Detailed policy work will continue over the summer on how to achieve this, should legislation be necessary.

Any such legislation would, of course, apply only while there are no Northern Ireland Ministers in place. Once a new Northern Ireland Executive is formed, the responsibility for appointments in Northern Ireland would return to Ministers in that Executive, and UK Ministers would again be required to consult Northern Ireland Ministers prior to making certain UK-wide appointments.

We are continuing to engage closely with the political parties, and the Irish Government as appropriate, to encourage and support work towards an accommodation to restore the Executive. This legislation would contribute towards ensuring good governance in Northern Ireland while the Government redouble those efforts to restore a locally elected, democratically accountable devolved Government.

The Prime Minister (Mrs Theresa May): This written statement confirms that child death review policy will transfer from the Department for Education to the Department for Health and Social Care. More than 80% of child deaths have medical or public health causes. The Department of Health and Social Care, its arm’s length bodies and the wider NHS have a responsibility to support understanding of children’s deaths and translating learning into actions to reduce preventable deaths.

The transfer was recommended by the Wood review of the role and functions of local safeguarding children boards, published in March 2016. It includes responsibility for issuing statutory guidance relating to child death reviews, supporting child death review partners with the implementation of this guidance alongside NHS England, and putting in place transitional arrangements involving NHS Digital for the collection of local safeguarding children boards child death review data, and then, once operational, by the national child mortality database.
Related areas that remain the responsibility of the Department for Education include children’s social care, including safeguarding children and child protection. These changes will be effective from today, 18 July 2018.

[IntCWS869]

Intelligence and Security Committee: Diversity and Inclusion Report

The Prime Minister (Mrs Theresa May): The Intelligence and Security Committee of Parliament (ISC) has undertaken a review of diversity and inclusion in the UK intelligence and security community focusing on four key protected characteristics under the Equality Act 2010: gender, race, sexuality and disability. The Committee has now completed its inquiry and its report has today been laid in Parliament.

The Government welcome the publication of the ISC’s report. The report recognises that the intelligence and security community needs to attract and draw upon the skills, talent and experience of all sectors of our society in order to continue its vital work effectively, and to reflect the diverse population it protects. The Committee has now completed its inquiry and its report has today been laid in Parliament.

The Government welcome the publication of the ISC’s report. The report recognises that the intelligence and security community needs to attract and draw upon the skills, talent and experience of all sectors of our society in order to continue its vital work effectively, and to reflect the diverse population it protects. The report acknowledges the significant progress that has taken place in recent years, highlighting the work of staff networks, innovative and inclusive recruitment campaigns and the facilitation of more flexible working patterns and styles. There is clearly room for improvement and senior leaders remain committed to ensuring the intelligence and security community is as inclusive as possible.

The Government thank the ISC for its work. We will give full consideration to the conclusions and recommendations contained in the report and will respond formally in due course.

[IntCWS871]

WORK AND PENSIONS

Contingency Fund Advance

The Minister for Employment (Alok Sharma): The Department for Work and Pensions has identified the need for minor revisions to two statutory instruments. These relate to the award of some premiums to people entitled to income-based jobseeker’s allowance, and to the application of the shared accommodation rate for foster carers in universal credit. Both drafting points date back to April 2013.

No customers have been adversely affected in either circumstance and payments of benefit have been—and continue to be—made fully in accordance with the policy intent.

The Department will amend the relevant legislation as soon as practically possible to ensure that these payments are included on the statutory framework.

Parliamentary approval for resources of £21,400,000 for this new service has been sought in the main estimate for the Department for Work and Pensions. Pending that approval, urgent expenditure estimated at £21,400,000 will be met by repayable cash advances from the Contingencies Fund.

Once the Supply and Appropriation (Main Estimates) (No.2) Bill achieves Royal Assent, the advance will be repaid in full and ongoing expenditure will legitimately rest on the sole authority of the Supply and Appropriation Act, until the amending legislation is in place.

[IntCWS875]

Employment and Support Allowance

The Secretary of State for Work and Pensions (Ms Esther McVey): On 15 March I provided the House with a statement setting out how the work my Department was undertaking to correct underpayments that occurred when converting Incapacity Benefit claims to Employment and Support Allowance (ESA) between 2011 and 2014 was progressing. I wanted to take this opportunity to provide the House with a further update.

In March I explained that my Department would resource this exercise with 400 staff to make sure we could review cases at pace. This work is now under way with staff reviewing cases, contacting claimants and correcting claims; so far we have paid out over £40 million in arrears.

The Department has analysed the relationship between “official error” and section 27 of the Social Security Act 1998 in regulating how and to what extent arrears can be paid. As a result of the conclusions of this analysis, we will now be paying arrears to those affected back to their date of conversion to ESA.

My Department will be contacting all those identified as potentially affected as planned. Once an individual is contacted, and the relevant information gathered, they can expect to receive appropriate payment within 12 weeks. I can also confirm that once contacted, individuals will be provided with a dedicated free phone number on which they can make contact with the Department.

Where we have already corrected cases and paid arrears from 21 October 2014 we will review the case again and pay any additional arrears that are due prior to that date.

I hope this will help Members to provide reassurance, to their constituents who think they may have been affected, that they will receive all the money they are entitled to.

[IntCWS877]
Written Statements
Thursday 19 July 2018

CABINET OFFICE

Electoral Integrity

The Parliamentary Secretary, Cabinet Office (Chloe Smith): Today, the Cabinet Office published its evaluation and it shows that Bromley, Gosport, Swindon, Watford and Woking delivered successful voter ID pilots. We know that because the evidence shows that the majority of voters who turned up to vote without ID returned later with ID without problem. When surveyed, polling station staff overwhelmingly judged that they had been able to successfully deliver the ID requirements in their polling stations, with 99% satisfaction rates among administrators in four of the five local authorities—Bromley, Gosport, Swindon, Watford and Woking—and 97% in the fifth, Watford.

Locally issued ID was made available free of charge whenever an elector was unsure they were able to produce the required ID. In one local authority, this was issued to 10 people who were homeless. They were also able to use the ID to register at the local jobcentre. The amount of voters who felt the security of elections improved increased consistently in the areas where electors had to show photographic ID. Confidence and satisfaction in the process of voting itself significantly increased post-election day where voters had to show photographic ID.

Overall, voters’ views of election day were largely positive across all of the pilots and the main reason for not voting was that people were too busy or had other commitments.

Alongside the Government’s evaluation, the Electoral Commission will publish their evaluation on the voter ID pilots today.

Peterborough, Slough and Tower Hamlets tested additional measures to improve the security and integrity of the postal vote process and ensured that additional guidance on preventing electoral fraud was given to every postal vote applicant. The local authorities found value in the pilot as an elector engagement exercise, given the positive feedback they received from electors in reaction to being contacted.

Electoral fraud is not a victimless crime. We owe it to voters to ensure they know their voices are being heard and their right to vote is being protected. We have worked with the Electoral Commission and Crimestoppers to support the “Your vote is yours alone” campaign that ran alongside the local elections to encourage the reporting of suspected electoral crime.

The improvement we will make to the security and integrity of our voting process in Great Britain will bring us in line with many other countries where voters have confidence in our democracy, while putting equality and inclusivity at the centre of our electoral system.

We are committed to improving the security of everyone’s votes, strengthening our elections and ensuring that people have confidence in our democracy, while putting equality and inclusivity at the centre of our electoral system.

[HCWS888]

TREASURY

Infrastructure (Financial Assistance) Act 2012: Annual Report

The Exchequer Secretary to the Treasury (Robert Jenrick): The annual report to Parliament under the Infrastructure (Financial Assistance) Act 2012 for the period 1 April 2017 to 31 March 2018 has today been laid before Parliament.

The report is prepared in line with the requirements set out in the Infrastructure (Financial Assistance) Act 2012 that the Government report annually to Parliament on the financial assistance given under the Act.

Copies are available in the Vote Office and the Printed Paper Office.

[HCWS895]

Securing the Tax Base

The Financial Secretary to the Treasury (Mel Stride): The Government are fully committed to doing what is necessary to protect the Exchequer and maintain fairness in the tax system. Therefore, the Government are announcing today that legislation will be brought forward later in the year which corrects a number of loopholes and omissions.

VAT offshore looping arrangement

The Government are announcing today that secondary legislation will be introduced later in the year to tackle VAT avoidance which takes advantage of a particular type of offshore looping arrangement, as well as examining further measures to tackle variations of this type of avoidance. By taking this action, the Government will maintain fairness in the tax system and will protect up to £100 million of future annual tax revenues. The Government are also considering additional measures to protect further tax from being lost on variations of these schemes, which could be adopted extensively across the VAT exempt sectors.

Offshore looping avoidance

Providers of financial services generally cannot reclaim the VAT they incur on their costs because their services are VAT exempt. An offshore loop is a cross-border structure that enables these VAT costs to be recovered by routing services primarily carried out in the UK via a body located in a non-VAT territory. Those services are
then used to provide insurance and other financial services back into the UK market. This is contrary to the intention of the VAT system and distorts competition to the disadvantage of domestic UK suppliers.

Targeted action

This measure addresses a particular version of offshore looping which is currently found almost exclusively in the insurance sector and involves looping supplies via non-VAT territories. While this scheme is currently the subject of litigation, the Government have decided to legislate to put the issue beyond doubt and prevent any ongoing distortion of competition through use of this scheme.

The Government will amend UK law using secondary legislation later in the year. This will reduce the scope of the current VAT relief for exporters of financial services by excluding financial intermediation in supplies made ultimately to UK customers. This will mean that the UK providers of these financial services will no longer be able to gain a VAT advantage by acting as an agent for an overseas associate when the services are in fact being provided to their UK customers. The draft legislation and explanatory note will be published today and will be available on the gov.uk website.

Further action

The Government are also examining further legislative options for closing other versions of avoidance schemes involving such arrangements. This would ensure that revenue is protected in the future and that the system is fair for all and that those that seek to benefit from this type of arrangement do not get an unfair advantage.

Another variant of offshore looping, involving the provision of repair services to insurers, was addressed in 2016. Alongside that, the Government also considered further action, particularly in respect of the application of the VAT use and enjoyment provisions, but concluded that further change was not merited at that time. However, given the additional risks since identified, the scope of the options now under consideration will be much broader, including the use of measures outside of the UK VAT system altogether. Further details will be set out as part of the normal tax-making process.

Interest for late payment and repayment of taxes

Additionally, the Government are announcing today that they will introduce retrospective legislation in the Finance Bill 2018-19 to correct omissions from enactments that enable HMRC to charge interest for late payment of taxes and to pay interest on repayments to taxpayers. This legislation will also include interest charged as part of the diverted profits tax regime. By taking this action, the Government will guarantee the integrity of the tax base.

The legislation will apply retrospectively to cover all relevant interest charged or applied and will not change either the interest rate or amounts charged or repaid by HMRC to date. The legislation will apply to all taxpayers and any existing or future claim or appeal where these omissions have been identified.

The main taxes affected are corporation tax, stamp duty and stamp duty land tax. Further detail can be found in the accompanying draft clause and explanatory note.

[HCWS889]
In all of this, we have been guided by the three key roles that our armed forces should be able to fulfil in the 21st century:

1. Our armed forces need to be ready and able to match the pace at which our adversaries now move.
3. Meet the challenges of the wider threats to international security and stability, including through operations and activities alongside our global allies and partners.

The pace at which our adversaries can act against us has grown quickly since SDSR 2015. Today, our adversaries disguise their actions by launching attacks that are hard to attribute, or by operating below the conventional threshold for a decisive, collective response. Whilst our armed forces already protect us against these challenges every hour of every day, we need to be able to respond to this new character of warfare, both in the traditional land, sea and air domains, as well as in the new domains of space and cyber. The MDP will make sure that the armed forces can continue to protect our prosperity and security, while reinforcing Britain’s place in the world.

To defend our national security, we should make the best possible use of the unique mix of hard and soft power that makes the UK a major global actor: from our economic levers to our wider diplomatic and cultural influence on the world’s stage. This integrated, collective approach to national security is captured in the Government’s fusion doctrine. Defence has a vital and increasing role in underwriting it, including through contributing to deterring and disrupting hostile state activity, delivering the CONTEST counter-terrorism strategy in the UK and overseas, or supporting wider security and prosperity objectives.

The armed forces have a unique network of alliances and friendships spanning every corner of every continent. We have made significant progress in making defence more “international by design”, and we will look at how we could do more. We have already strengthened relationships with key allies and partners, including through ambitious capability collaborations, and we will seek to go further still. We will consider our global defence network, to make sure we have the right military and civilian staff deployed around the world. We will seek to optimise our programme of world-class international education and training, which is so highly valued by our allies and partners, and gives the UK competitive advantage and strategic influence across the globe. And we will continue to lead multinational forces and deepen our relationships across the globe.

Most importantly, we need to make sure we can respond rapidly to future crises on our terms. Our elite and high-readiness forces are critical in this regard, enabled by collective training and our high-end exercise programme. We will consider how we can rebalance our training and equipment to mainland Europe, the far east and the middle east and review our overseas basing to improve our interoperability with allies and partners. NATO’s readiness initiative will also play an important role in this endeavour. Equally, our ability to respond rapidly will depend on an improved understanding and anticipation of the strategic confrontations that define this era: we will therefore build a strategic net assessment capability in the MOD. Strategic net assessment looks across all dimensions of competition—political, economic, military, resources—to assess how the choices of both friends and foes may play out over the short, medium and long term. Its conclusions can be used to develop more nuanced and better-informed strategy, so we can better anticipate our adversaries’ actions and counter them more effectively.

As outlined in SDSR 2015, protecting our security safeguards our prosperity, so our armed forces will continue to provide the assurance and reassurance for our global trade and development commitments, and support our ambitions for global Britain. As we continue our commitment to defence investment we will consider a much more agile approach to the development of future equipment, with a clear focus on the increasing flexibility required to maintain strategic advantage over our adversaries.

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2. A fighting force fit for the challenges of the 21st century

We intend to modernise our force structure so that it is better able to meet the increasing threats we face. The key design principles of Joint Force 2025 are right: we want armed forces able to operate with agility and pace in the information age. Our armed forces need to be able to meet a full range of missions now and into the future. This includes, if necessary, warfighting operations under NATO article 5 and further afield.

We need to be able to meet future threats and face down our adversaries to continue to protect our prosperity and security. We may need to accelerate elements of the programme to meet the most acute threats sooner. Equally, we might want to introduce new capabilities or equipment that provide significant advantage in the immediate term. We intend, in each case, to look to the right balance of conventional and novel capabilities to meet the threats we face.

Alongside this, we will consider how to improve our resilience, so that our networks and systems across defence are protected against cyber-attack and infiltration, and our submarines can continue to avoid detection. We will also strengthen our equipment, training and facilities, like the investment we are making in a chemical weapons defence centre to counter chemical biological radiological and nuclear threats like we saw in Salisbury and Amesbury. Through advancing our resilience we will make sure our forces and bases are better protected.

A fighting force fit for the challenges of the 21st century also means our armed forces need to be able to operate in the space domain. So, to guide future investment in our satellites and wider space capabilities we will publish a space strategy.

To operate effectively in the information age, we need “information advantage”. Conflicts of the future will increasingly be won and lost based on who uses information technology most effectively: sensors, computing, communication, cyber and machine learning, artificial intelligence and autonomy. We will consider how to
enhance our ability to collect, analyse, disseminate and act very rapidly on the vast quantities of data that characterise the contemporary operating environment. This will allow us to understand how our adversaries are thinking, how they may choose to act against us, and how we can deter or defeat them.

We are also looking at how to update the way we fight. For much of the last two decades, the UK has been conducting or contributing to significant overseas operations in Afghanistan, Iraq and the wider middle east. Our adversaries have learned a lot about how we operate, and how they can disrupt our preferred methods. So, we are considering what a more active and dynamic approach to operations in all five domains—land, sea, air, space and cyberspace—should look like.

At the same time, we will consider how to modernise our approach to technology and innovation. By taking a more co-ordinated approach to technology and experimentation, with better central oversight, we may be able to pursue opportunities for modernisation more aggressively and accept higher levels of risk pursuing novel ideas. We intend to invest in a series of ‘Spearhead’ initiatives on key new technologies and increase our spending on innovation, science and technology. Pursuing this approach will allow us to become quicker at turning advances in research and development into strategic advantage. In support of this, we will publish a “Defence Technology Framework”, setting out the Department’s technology priorities so that we can focus efforts and guide strategy, investment and plans across defence as a whole.

And we should also ensure that we use the combined talents of our whole force of regulars, reserves, civil servants and industry partners more effectively. The character of conflict and the world of work more generally are changing, so defence will need to up-skill our people, harness the advantages offered by reserves, and reflect the expectations of the modern workforce.

3. Transforming the business of defence to deliver a robust, credible, modern and affordable force

We are re-setting and re-energising the way MOD is led, organised and managed, with clearer responsibilities and accountabilities to deliver better value for money. We will embrace approaches, processes, technologies and best practice with a proven track record of success elsewhere. We will encourage a culture of experimentation, and change our acquisition and commercial processes to better support the rapid and incremental adoption of new and emerging technologies.

To help create financial headroom for the additional modernisation, we will consider how to deliver greater efficiency by adopting ambitious, digitally-enabled business modernisation. In parallel, we will consider removing existing areas of overlap and duplication within our force structure and burden-sharing more effectively with allies and partners.

We intend to adopt a more collaborative and demanding approach to our relationship with industry, centred around an agreed set of productivity, efficiency, skills and innovation challenges that we need to meet together. At the same time, in the next stages of our work we will consider what we might do to grow, even further the already considerable contribution that Defence makes to UK prosperity. The important work conducted by my hon. Friend the Member for Ludlow (Mr Dunne) in his independent report can inform these considerations.

Conclusions

The first phase of the MDP has looked to set the direction we intend to take. It has clarified three key themes we should consider in the next phase: first, our armed forces need to be ready and able to match the pace at which our adversaries now move. Secondly, our armed forces need to be a fighting force fit for the challenges of the 21st century. And, finally, we need to transform the business of defence to deliver a robust, credible, modern and affordable force.

The Prime Minister, Chancellor and I will continue to work closely throughout the next phase of the MDP, and I will keep the House updated as decisions are made.

We will continue to meet our commitment to our partners and maintain a full spectrum of nuclear, conventional and cyber capabilities to match our global ambition. With one of the largest defence budgets in the world, and the highest in Europe, our defence budget is increasing in real terms by £1 billion a year during this Parliament. The stage is now set for the next phase of this programme of work to ensure UK defence and our armed forces can continue to keep our country safe, our people and interests around the world secure, and help ensure that the UK can continue to play a major role on the world stage.

[HCWS883]

Service Personnel

The Secretary of State for Defence (Gavin Williamson):

On 12 March 2018, I announced that the Ministry of Defence (MOD) would be looking to mitigate the impact of income tax rises in Scotland affecting thousands of armed forces personnel in Scotland. New income tax bands and increased tax levels for tax year 2018-19, as compared to the rest of the UK, will result in the majority of military personnel living in Scotland, those earning more than £26,000 per annum, paying more tax this year by comparison to their counterparts living in the rest of the UK.

It has been decided that for this tax year the MOD will make a financial mitigation payment to all those regular service personnel negatively impacted by Scottish tax by £12 a year (or £1 a month) or higher. However, it has also been decided that the amount of mitigation provided will be capped at £1,500. The financial mitigation payment will be paid retrospectively after the end of the tax year. It will be grossed up to ensure that when income tax and national insurance deductions are made the value of the payment closely matches the difference in tax experienced up to the £1,500 cap.

The MOD will continue to review the situation and decide each tax year whether the impact on UK armed forces warrants an offer of financial mitigation to support service personnel in Scotland.

It is estimated that these payments will be made up to 8,000 regular service personnel and will cost the MOD in the region of £4 million in financial year 2019-20.

[HCWS885]
DIGITAL, CULTURE, MEDIA AND SPORT

Contingent Liability

The Secretary of State for Digital, Culture, Media and Sport (Jeremy Wright): A minute has been laid before Parliament regarding the live broadcast of the England men’s team semi-final match at the 2018 football World Cup in Hyde Park on 11 July, and specifically in relation to incurring a contingent liability.

The Department for Digital, Media, Culture and Sport (DCMS) directed the Royal Parks (TRP) to host an event which showed the live broadcast of the England men’s team semi-final match at the 2018 football World Cup on large television screens in Hyde Park on 11 July. The Department provided an indemnity agreement to the TRP, in order to meet the short timescale to organise this event, it was necessary to give commitments in relation to such liabilities urgently.

DCMS agreed to indemnify TRP for net costs and there is an agreement regarding any such indemnity costs between DCMS and the Greater London Authority and the Football Association.

The Treasury approved the proposal in principle. Authority for any expenditure required under the liability will be sought through the normal Supply procedure. A full departmental minute has been laid providing more detail on this contingent liability as provided to TRP on 8 July. [HCWS891]

EDUCATION

Relationships and Sex Education

The Secretary of State for Education (Damian Hinds): Children and young people today are growing up in an increasingly complex world and living their lives seamlessly online and offline. This presents many positive and exciting opportunities, but also challenges and risks. In this environment, children and young people need to know how to be safe and healthy, and how to manage their lives in a positive way. Ensuring children and young people have this knowledge contributes to Government’s effort to eradicate problems like sexual harassment and violence.

We have engaged thoroughly with a wide range of organisations, supported by experienced headteacher Ian Bauckham CBE. Between November 2017 and March 2018, Ian led a wide-ranging stakeholder engagement process with many experts. In addition, the Department launched a call for evidence to seek public views from adults and young people—over 23,000 people responded and the level of consensus has been encouraging. We are pleased today to be able to announce the key decisions and launch a consultation on the detail of the regulations and guidance.

For relationships education and RSE, the aim is to put in place the building blocks needed for positive and safe relationships of all kinds, starting with the family and friends, and moving out to other kinds of relationships, including online. It is essential that we ensure young people can keep themselves safe online, from the basics of who and what to trust and how personal information is used, through to how to ensure online relationships are healthy and safe.

A guiding principle is that teaching will start from the basis that children and young people, at age appropriate points, need to know the laws relating to relationships and sex that govern society to ensure they act appropriately and can be safe. This includes LGBT, which is a strong feature of the new subjects at age appropriate points. The draft guidance sets out core required content, but leaves flexibility for schools to design a curriculum that builds on this and is right for their pupils, bearing in mind their age and religious backgrounds. It enables schools with a religious character to deliver and expand on the core content by reflecting the teachings of their faith.

We are also proposing to introduce compulsory content on health education. This supports the findings from the call for evidence and engagement process, where giving children and young people the information they need to make good decisions about their own health and wellbeing—particularly their mental wellbeing—was a priority. This directly supports the Green Paper published jointly by the Department for Education and the Department of Health and Social Care on children and young people’s mental health, as well as our manifesto commitment to ensure all young people are taught about mental wellbeing. The focus on physical health also supports the Government’s activity to tackle childhood obesity.

Financial education is already in the curriculum, in maths and citizenship, and careers education is an important part of our careers strategy. For these reasons, we do not consider that economic education should be made compulsory. We are committed, however, to improving provision of financial and careers education and will work with stakeholders to do so.

We know that many schools successfully cover this content in a broader PSHE programme. They should continue to do so, adapting their programme to the new requirements rather than starting from scratch. Schools are also free to develop alternative, innovative ways to ensure that pupils receive this education and we want good practice to be shared so that all schools can benefit.

We have previously committed to parents having a right to withdraw their children from sex education in RSE, but not relationships education in primary or secondary. A right for parents to withdraw their child up to 18 years of age is no longer compatible with English case law or the European convention on human rights. It is also clear that allowing parents to withdraw their child up to age 16 would not allow the child to opt in to sex education before the legal age of consent.

We therefore propose to give parents the right to request their child be withdrawn from sex education delivered as part of RSE. The draft guidance sets out that unless there are exceptional circumstances, the parents’ request should be granted until three terms before the pupil turns 16. At that point, if the child wishes to have sex education, the headteacher should ensure they receive it in one of those terms. This preserves the parental right in most cases, but also balances it with the child’s right to opt in to sex education when they are competent to do so.
This is a very important change to the curriculum that has to be delivered well, and while many schools will be able to quickly adapt their existing teaching it is essential that those schools that need more time to plan and prepare their staff get that time. It is our intention that as many schools as possible will start teaching the subjects from September 2019. We will be working with those schools, as well as with MATs, dioceses and education unions, to help them to do so. All schools will be required to teach the new subjects from September 2020. This is in line with the Department’s approach to any significant changes to the curriculum and will enable us to learn lessons from the early adopter schools and share good practice across the sector. We will be seeking views through the consultation to test the right focus for a school support package as we know that it is crucial for schools and teachers to be confident and well prepared.

We are keen to hear as many views as possible through the consultation, which will be open until early November, and the final regulations will be laid in both Houses, allowing for a full and considered debate. There was strong cross-party support for the introduction of these subjects we are confident that we can continue to work together on this important reform. We believe that our proposals are an historic step in education that will equip children and young people with the knowledge and support they need to form healthy relationships, lead healthy lives and be safe and happy in modern Britain.

[HCWS892]

FOREIGN AND COMMONWEALTH OFFICE

OSCE

The Minister for Europe and the Americas (Sir Alan Duncan): I represented the United Kingdom at the 24th Ministerial Council meeting of the Organisation for Security and Co-operation in Europe (OSCE) held in Vienna on 7 and 8 December 2017, hosted by Austrian chair-in-office, Sebastian Kurz. The Council is the top decision making body of the OSCE and was attended by Ministers from across its 57 participating states. A number of new commitments were agreed, including on combating trafficking in human beings, on small arms and light weapons, and on reducing the risk of conflict stemming from the use of information and communication technologies.

In my intervention at the Ministerial Council, I reaffirmed the United Kingdom’s support for Ukraine’s sovereignty and territorial integrity within its internationally recognised borders. I condemned Russia’s destabilising actions in eastern Ukraine and illegal annexation of Crimea, and we co-sponsored an event in the margins of the Ministerial Council for Crimean Tatar leaders. The United Kingdom is the second largest contributor of secondees to the OSCE Special Monitoring Mission (SMM), which plays a crucial role in monitoring the ceasefire and events on the ground. I paid tribute during my intervention to SMM paramedic Joseph Stone, who tragically lost his life on patrol in April 2017. The United Kingdom continues to call on all parties to ensure the safety both of our monitors and of civilians in Eastern Ukraine.

The 2017 Ministerial Council discussed the continuation of the structured dialogue launched in 2016, aimed at reducing risk of military conflict. We welcome the dialogue as an opportunity to rebuild trust among all stakeholders of European security in the OSCE area.

The process will take time, but we value the work done so far, including discussions on threat perceptions, challenges to the rules-based order, military-to-military contact, and trends in military force postures and exercises. At the Ministerial Council, the United Kingdom delivered a statement on behalf of 29 allies restating the importance of enhancing military transparency, and of full implementation and updating of relevant commitments.

The OSCE is a vital forum for addressing the “protracted conflicts” which remain a threat to European security, and during the Ministerial Council I reiterated our firm support for Georgia’s sovereignty and territorial integrity. The Government welcome progress on confidence-building measures relating to the conflict in Moldova agreed in the 5+2 format meetings in Vienna in 2017 and in Rome in 2018. We also continue to support the Minsk co-chairs in their efforts to find a peaceful solution to the Nagorno-Karabakh conflict.

The Government remain committed to the security and stability of the Western Balkans. We provide over 5 million euros per annum to OSCE’s extensive field presence in the Western Balkans through assessed contributions and also give extra budgetary funding to support work on media freedom, electoral reform, safe storage of small arms and light weapons, strengthening the rule of law, and processing of war crimes cases. The office of the OSCE’s representative on freedom of the media chaired a discussion on media freedom at the Western Balkans summit in London on 9 and 10 July. The Government also support security and stability in Central Asia through our assessed contributions and through extra-budgetary funding to OSCE field missions, supporting work in areas such as judicial independence, rule of law, border controls, counter-terrorism, cyber-security, and freedom of religion or belief.

The United Kingdom is using its second year chairing the OSCE human dimension committee to support the 2017 Italian chairmanship and promote discussion of issues relevant to everyday lives across the OSCE area in the field of human rights, fundamental freedoms and democracy. 2018 meetings have covered issues such as human rights defenders, freedom of religion or belief, and Roma and Sinti girls’ education. The committee has also addressed cross-dimensional issues such as human trafficking and violence against women. The Prime Minister’s special envoy on post-holocaust issues, Lord Pickles, spoke at an OSCE chairmanship conference on anti-Semitism in Rome in January and a UK-led event on racism in Vienna in May. Throughout this period, the United Kingdom, with EU partners, has continued to raise human rights concerns at the OSCE. At the Ministerial Council, the UK joined a declaration by 44 states expressing concern at deteriorating respect for human rights and space for civil society in parts of the OSCE region.

OSCE work on arms control, disarmament and non-proliferation, along with counter-terrorism and cyber-security, plays an important role in pursuit of our security objectives. We continue to promote efforts in the OSCE to strengthen and modernise conventional arms control in Europe, based on principles such as respect for sovereignty and territorial integrity, reciprocity, transparency, and host nation consent. We welcome the OSCE Ministerial Council decision to reinforce and
expand efforts to reduce the threat posed by small arms and light weapons and stockpiles of conventional ammunition.

I was able to underline the UK’s commitment to European security, the OSCE and to multilateral co-operation when I met the new OSCE secretary-general, Thomas Greminger, during his visit to London in May.

Slovakia has begun preparations for its OSCE chairmanship, which starts in January 2019. We look forward to working with them to promote shared priorities, uphold shared principles and commitments and to increase security and co-operation in Europe.

[HCWS879]

Jordan: Policing Support

The Secretary of State for Foreign and Commonwealth Affairs (Mr Jeremy Hunt): The United Kingdom is strongly committed to supporting Jordan’s security and stability. Through a Conflict Stability and Security Fund project worth £9 million over two years, the UK is helping the Jordanian Public Security Directorate (PSD) and gendarmerie to develop its community policing, critical incident response and investigative counter-terrorist policing capabilities. The support delivers against the objectives of Her Majesty’s Government, in particular our security objective, on building Jordanian capability to enhance both its own security and its ability to tackle internal and regional threats in a manner compliant with human rights.

In order to reach this objective, the British embassy in Amman is granting equipment totalling £742,853.24 for support to the PSD and gendarmerie. This includes infrastructure, vehicles, and IT equipment (hardware and software).

The provision of this assistance is fully in line with this Government’s security and stability objectives in the middle east. Foreign and Commonwealth Office officials carry out regular reviews of our programmes in Jordan to ensure that objectives are being met, and that value for money is being achieved.

[HCWS880]

British Council: Tailored Review

The Minister for Asia and the Pacific (Mark Field): I am announcing today the start of a tailored review of the British Council, the UK’s international organisation for cultural relations and educational opportunities. Established by Royal Charter in 1940, the British Council builds relationships and understanding between the people of the UK and other countries.

As a non-department public body (NDPB) sponsored by the Foreign and Commonwealth Office (FCO), the British Council is required to undergo a tailored review at least once in every Parliament. The principal aims of tailored reviews are to ensure public bodies remain fit for purpose, are well governed and properly accountable for what they do.

The review will provide a robust scrutiny of, and assurance on, the continuing need for the British Council—both its function and its form. It will then assess the governance and control arrangements in place to ensure they are compliant with the recognised principles of good corporate governance and delivering good value for money. The structure, efficiency and effectiveness of the British Council will be considered throughout the review.

A challenge panel, chaired by a FCO non-executive director, will examine the findings of both stages of the review.


In conducting this tailored review, officials will engage with a broad range of stakeholders across the UK and overseas, including across UK Government, devolved Administrations, foreign Governments, business and civil society, as well as with the British Council’s own staff and management.

I shall inform the House of the outcome of the review when it is completed and copies of the report of the review will be placed in the Libraries of both Houses.

[HCWS881]

HEALTH AND SOCIAL CARE

Human Fertilisation and Embryology Act 2008: Remedial Order

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): We are today laying a revised non-urgent remedial order, which will enable a sole applicant to apply for a parental order, which transfers legal parenthood after a surrogacy arrangement.

The Joint Committee on Human Rights (JCHR) published its report about the initial draft remedial order on 2 March 2018. The Government have carefully considered the issues raised in the report and have accepted the recommendations made by JCHR. We have taken additional action so that the revised order ensures that a biological parent in a surrogacy arrangement is not blocked by their relationship status from obtaining legal parenthood.

Surrogacy has an increasingly important role to play in our society, helping to create much-wanted new families for a range of people. The UK Government recognise the value of this in the 21st century where family structures, attitudes and lifestyles are much more diverse.

The revised remedial order reflects an equal approach for a sole applicant or a couple in obtaining legal parenthood after a surrogacy arrangement. The order will allow a six-month period where an existing sole applicant can retrospectively apply for a parental order for a child born through surrogacy.

It will be for the Joint Committee on Human Rights to further scrutinise the revised order, take views from parliamentarians and stakeholders and advise the
Government and Parliament on the appropriateness of the order. The Committee will have 60 days to undertake these considerations and then make recommendations to Parliament, before debates in both Houses.

[HCWS893]

HOME DEPARTMENT

Gangmasters Licensing Authority & Disclosure and Barring Service: Annual Reports

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): Today the annual reports and accounts for the Gangmasters Licensing Authority 2016-17 [HC 1402] and the Disclosure and Barring Service 2017-18 [HC 1367] are being laid before the House and will be published on www.gov.uk. Copies of both reports will also be available in the Vote Office.

The 2018-19 business plan for the disclosure and barring service is also being published today and a copy will be placed in the Library of the House and will be made available on www.gov.uk.

[HCWS884]

Immigration

The Secretary of State for the Home Department (Sajid Javid): I am today publishing a consultation paper on the design of a compensation scheme that will help to right the wrongs suffered by those of the Windrush generation who have faced difficulties and suffered losses as a result of measures that are in place to tackle illegal immigration [Cm 9654].

I have been very clear both that the Government deeply regret what has happened to some of the Windrush generation and that we are determined to put it right. A series of measures are in place to help achieve this. We are supporting those affected directly to gain confirmation of their immigration status. The Windrush taskforce, established in April, has provided documentation to over 2,000 people to demonstrate their right to live in the UK. We are conducting a lessons learned review, with independent oversight and challenge, to look at what happened and what the Home Office can do to ensure that it acts differently in future. Today I am also fulfilling the commitment to publish the terms of reference and methodology for that review by the summer recess and a copy of each will be placed in the Library of the House. The review aims to complete its findings by the end of March 2019 and I can confirm that the findings from the review will be published.

We also committed to establish a compensation scheme for those who have suffered loss as a result of these difficulties. On 10 May I launched a call for evidence, to help us understand what went wrong, when and the effects it has had on people’s lives. That closed on 8 June and we received over 650 responses. I have been moved by the stories people have told. There has been genuine suffering, which should never have happened. I am also inspired by the way many of the respondents moved halfway round the world to help rebuild the UK, and established their homes and lives here. It is also clear from these stories that these are strong communities which support each other and contribute significantly to the life and prosperity of the UK.

I want to move quickly, but carefully, from this initial call for evidence to the next stage. Based on the call for evidence and the independent advice we are receiving from Martin Forde QC, we have designed a number for exercise to help us build and set up a compensation scheme. We are suggesting the scheme should be open to anyone who would be eligible for assistance of any type under the existing Windrush scheme being operated by the taskforce, and we are consulting on the types of losses and impacts that we should compensate for.

We received representations to extend the initial call for evidence and therefore I am keen to ensure that the consultation exercise is thorough and allows sufficient opportunity for everyone who wants to respond to do so. The consultation will last 12 weeks, closing on 11 October 2018. We are encouraging responses from a wide range of people, but particularly the communities affected. I am working with the Caribbean high commissioners to ensure the consultation reaches the right people abroad. The consultation document will be accessible online and offline. My officials will promote the consultation using appropriate media channels including social media. Throughout the consultation period we will engage with key stakeholders and community organisations to encourage responses, providing copies of the document and guidance for it to be completed, along with the offer of dedicated events with Home Office staff within community groups to facilitate responses.

The independent adviser to the scheme, Martin Forde QC, will be talking directly to individuals affected and their representatives, as well as community leaders.

Following the consultation my priority will be to establish a scheme which will pay appropriate compensation as soon as possible. In the meantime, we will continue to offer people direct support to establish their immigration status.

[HCWS887]

Independent Office for Police Conduct: Annual Report

The Minister for Policing and the Fire Service (Mr Nick Hurd): I am today, along with the Financial Secretary to the Treasury, my right hon. Friend the Member for Central Devon (Mel Stride), publishing the 2017-18 annual report and accounts for the Independent Office for Police Conduct [HC 1331]. This will be laid before the House and published on www.gov.uk. The report will also be available in the Vote Office.

[HCWS886]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Grenfell

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Hon. Members will have been moved by the strength, courage and dignity demonstrated by those affected by the Grenfell Tower fire during the commemoration that took place last month marking one year on. I wanted to update the House before the summer recess on the critical work the Government are undertaking in response to the tragedy and broader building safety work.
First, the Ministry of Housing, Communities and Local Government continues to work closely with the Royal Borough of Kensington and Chelsea to ensure the bereaved and survivors are given the support they need. This includes practical, long-term emotional, and, in some cases, mental health support to ensure all the bereaved and survivors are settled and comfortable in new permanent accommodation.

The latest position is that of 204 households from Grenfell Tower and Walk who need rehousing, 200 households (over 98%) have accepted an offer of either permanent or temporary accommodation, and 142 households have now moved in, of which 96 have moved into their permanent homes and 46 households are currently living in good-quality interim accommodation.

Secondly, I wanted to update the House on the work we are doing to ensure residents of high-rise buildings are safe and feel safe, now and in the future. The Government are committed to learning lessons from the Grenfell tragedy and ensuring people living in buildings like Grenfell Tower are safe, and feel safe. Dame Judith called for major reform and people living in buildings like Grenfell Tower are safe, and feel safe. Dame Judith called for major reform and a change of culture. The onus should clearly be on residents to ensure the properties acquired for the survivors are safe and ready to move into and I have been assured by the council that the majority of that work is now complete. Twenty Four properties that have been accepted by residents are still being finalised and the vast majority of these are expected to be completed over the summer. I am also continuing to focus on the support that is available to those moving into their new homes through working with the Council to provide a strong package of resettlement support. This includes a range of elements, from helping to provide furniture, packing and removals, support to join community groups in a new local area, and drop-in counselling sessions.

Our support and commitment to the bereaved, victims and wider community remains steadfast.

First, I am pleased to announce that my Department is today publishing the clarified building regulations fire safety guidance (“Approved Document B”) for consultation. The revised guidance will make it easier to use and reduce the risk of misinterpretation by those carrying out and inspecting building work. It is a vital first step on the road to reform. A link to the consultation is here: https://www.gov.uk/government/consultations/fire-safety-clarification-of-statutory-guidance-approved-document-b.

The report by Dame Judith, “Building a Safer Future”, was published on 17 May. As I said in my statement to the House that day, its publication was a watershed moment for everyone who has a stake in ensuring the people living in buildings like Grenfell Tower are safe, and feel safe. Dame Judith called for major reform and a change of culture. The onus should clearly be on everyone involved to manage risk at every stage, and the Government should do more to set and enforce high standards. The Government agree with that assessment and support the principles behind the report’s recommendations for a more effective system.

As Dame Judith acknowledged, delivering fundamental system reforms — including changes to the law — will take time and, as I said in May, I will set out our detailed implementation plan in the autumn. But we can, and must, start changing the culture and practice right now. We are therefore delivering key elements of the report. Reforming the regulatory system requires change across all its aspects. In relation to building safety, I can announce we will introduce a mandatory requirement on landlords in the private rented sector to ensure electrical installations in their property are inspected every five years. This will help drive up standards across the private rented sector and reduce deaths and injuries due to electric shocks and fires caused by electric faults.

We are committed to establishing a more effective regulatory regime for fire and building safety. We have started work with building control bodies, National Fire Chiefs Council, the Health and Safety Executive and others to consider options for a joint competent authority and stronger regime as per the recommendations in the report, and we will set out our implementation plan in the autumn.

The Hackitt review identified a lack of leadership within the construction and fire safety industries as a contributory failure on building safety. I want the construction industry to drive action on building safety now, leading from the front and changing practice and behaviour. We know there are many who are already doing the right thing, and I want to encourage more in the industry to do the same.

I am pleased we have already had support on this and today I can announce that Willmott Dixon, Kier, L&Q and Salix Homes have agreed to be the first of the early adopters on building safety. This is a commitment to prioritising building safety. These organisations will work with the Ministry of Housing, Communities and Local Government to trial ways of working in line with the Hackitt recommendations and assess benefits in the buildings they are constructing or managing. We would welcome others in industry coming forward to join them.
We also need to ensure residents are given a voice in the system. This is necessary to provide reassurance and recourse across all tenures by providing greater transparency of information on building safety; better involvement in decision-making through the support of resident associations and tenant panels; and a no-risk route of escalation and redress. This was echoed in feedback from tenant events held to inform the social housing Green Paper. We are considering options for addressing these concerns, including through the forthcoming Green Paper.

I can also announce today I intend to set up a residents’ reference panel for the life of the building safety programme. This indicates our commitment to residents, and ensures policy is grounded in the experiences of those who live in high-rise buildings.

The Hackitt review also called for the construction and fire safety industries to show more effective leadership in raising the competence of those working on high-rise buildings. I have been pleased to see both the construction and fire sectors come together quickly in the response to this challenge set by Dame Judith, under the stewardship of the Construction Industry Council. We remain in close contact with the industry to see the progress of their proposals on competence, and will stand ready to provide support as required.

I also welcome the work of the Home Office and National Fire Chiefs Council on setting up a new independent fire standards board to produce and own professional standards for fire and rescue services in England. This forms part of the Government’s fire reform programme which will make services more accountable, effective and professional. Work is under way to form the board by late summer, with work on the first standards beginning shortly thereafter.

To provide additional oversight of the industry’s work, I intend to set up an industry safety steering group. This group will hold industry to account for making cultural change happen, and I can announce today that this will be chaired by Dame Judith Hackitt.

Our focus on delivering the systemic reforms envisaged by the Hackitt review will not distract from the critical work of ensuring people are safe in their homes. Guided by advice from our expert panel, we continue to work closely with fire and rescue services, local authorities and landlords to identify high-rise buildings with unsafe cladding, ensure interim measures are in place to reduce risks, and give building owners clear advice about what they need to do to make buildings safe.

My written statement of 28 June provided an update on our work to identify, test and remediate unsafe cladding systems on high-rise buildings. I announced in that statement the further steps I would be taking to promote swifter action by building owners to remove potentially unsafe cladding on private sector high-rise residential buildings. I expect to chair the first meeting of the new private sector remediation taskforce which will oversee this activity before summer recess. Since 28 June two additional roundtables have been held with industry to work on solutions for individual building owners who cannot resolve building remediation themselves. This work with industry will continue over the summer.

We will also take further steps to ensure there is clarity for building owners about the circumstances in which buildings should be remediated. These steps will include the production of clear guidance about the circumstances in which decorative or small amounts of aluminium composite material cladding should be remediated. My Department has also written to all relevant building owners to remind them of their responsibilities and I am pleased to be able to report that the National House Building Council has accepted a warranty claim for the New Capital Quay development. I call on others to follow their lead.

Further to my update on building safety on 16 May, my Department is continuing to monitor and facilitate action taken by those who purchased Manse Masterdor fire doors. The Ministry of Housing, Communities and Local Government is working with the Local Government Association and National Housing Federation to provide advice and support to building owners with these doors.

In my update of 16 May, I also reported that Synseal, the company that took over the Manse Masterdor business, was working with trading standards to ensure its products met relevant standards and had withdrawn its composite 30-minute fire door range. Following further testing of their fire doors, Synseal has informed my Department it has withdrawn its composite and timber fire door range from the market as it does not consistently meet the minimum standard. Based on advice sought from the expert panel, Synseal has written to all customers of Masterdor Ltd (a subsidiary of Synseal) asking building owners to review the fire risk assessment of their buildings to determine how quickly these doors should be replaced. The expert panel has advised me there is no change to the risk to public safety and the failure of Masterdor Ltd fire doors remains a product standards issue which is being overseen by trading standards. My Department is working closely with trading standards on this issue.

Local fire and rescue services continue to provide advice locally and the National Fire Chiefs Council, with the Ministry of Housing, Communities and Local Government, are monitoring assessments and the action being taken by customers of Manse Masterdor and Masterdor Ltd.

The Ministry of Housing, Communities and Local Government will continue its investigation into the wider fire door market, where we are testing doors from at least 20 suppliers over the next six months.

Nothing is more important than ensuring that people are safe and feel safe in their homes. We have made progress but there is much left to do. I shall provide a further update to the House on this work in the autumn.

[HCWS890]

INTERNATIONAL TRADE

EU Trade Agreement Impact Analysis and Process

The Minister for Trade Policy (George Hollingbery): I am pleased to announce that my Department will today publish an impact assessment for the EU-Singapore free trade agreement (FTA). 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 review of this agreement. A copy of this impact assessment will be placed in the Libraries of both Houses.

Negotiations with Singapore concluded in October 2014. The European Commission has now presented the final negotiated texts to the Council of the European Union (Council). The Council will now decide whether to adopt the necessary Council decision authorising signature and conclusion, with a vote in October 2018.

The agreement is expected to promote bilateral trade and economic growth between the EU and Singapore by eliminating most tariffs and reducing non-tariff measures that businesses face when trading goods and services and when investing.

I will also today lay the European Union (Definition of Treaties) (Economic Partnership Agreements and Trade Agreement) (Eastern and Southern Africa States, Southern African Development Community States, Ghana and Ecuador) Order 2018 to designate the Ecuador-EU Andean accession and these economic partnership agreements as treaties in accordance with the European Communities Act 1972.

The EU, Ecuador, Colombia and Peru signed the protocol of accession of Ecuador to the EU-Andean free trade agreement (known as the EU-Andean FTA) on 11 November 2016. The protocol has been provisionally applied since 1 January 2017.

On 28 July 2016, the EU signed an economic partnership agreement (EPA) with Ghana. The EPA has been provisionally applied since 15 December 2016.

On 10 June 2016, the EU signed an economic partnership agreement (EPA) with six countries from the Southern African Development Community (SADC): Botswana, Lesotho, Mozambique, Namibia, South Africa and Swaziland (now known as Eswatini) (the “SADC EPA states”). The EPA has been provisionally applied since 10 October 2016, except in the case of Mozambique, where it has been provisionally applied since 4 February 2018.

On 24 August 2009, the EU signed an economic partnership agreement (EPA) with the eastern and southern Africa countries: Madagascar, Mauritius, the Seychelles and Zimbabwe (the “ESA countries”). In July 2017, the Comoros signed the agreement, and they are currently in the process of ratification. The EPA has been provisionally applied since 14 May 2012, except in the case of the Comoros, where it will be applied pending ratification by the government of the Comoros. These agreements require ratification by the EU member states to come fully into effect.

I will lay this order concurrently with the laying of the text of the agreements as Command Papers under the Constitutional Reform and Governance Act for scrutiny. This is in effect the start of the formal process of ratification of the agreements in the UK.

These agreements will boost the economies of the UK, the EU, and partner countries by promoting trade and economic growth. The European Union’s economic partnership agreements (EPAs) have a development focus that goes beyond trade, by including co-operation and assistance for partner countries’ aim to promote trade—and ultimately contribute, through increased trade and investment, to sustainable development and poverty reduction.

I will also lay before the House an explanatory memorandum to this order. This explains the background and rationale of the agreements and ratification. At the same time, we are publishing our economic impact assessments of these agreements. Copies of these documents are being placed in the Libraries of both Houses.

The Government remain committed to supporting the EU’s ambitious trade and development agendas including the EU free trade agreements they are putting in place. The UK ratification of these agreements while the UK is still an EU member state is a sound demonstration of this commitment.

The Government have been clear they will seek a seamless transition to replicate the effects of the agreements when we leave the EU in line with our policy.

[HCWS882]

WTO: UK Goods Schedule

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): I have previously informed the House that in order to fulfil our obligations at the World Trade Organisation (WTO) as we leave the European Union we will prepare UK-specific schedules of concessions and commitments. I have today sent to the secretariat of the WTO the UK schedule for goods and I will place a copy in the Library.

This schedule replicates, as far as possible, our current obligations. We see this as a technical exercise for which the WTO’s 1980 procedures provide the appropriate legal mechanism. That will be our first step.

Presenting our own UK schedules at the WTO is a necessary part of our leaving the EU. It does not in any way prejudice the outcome of the eventual UK-EU trading arrangements.

[HCWS878]

JUSTICE

Legal Aid (Inquests)

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): The Secretary of State for Justice and I are today launching a call for evidence which seeks information on the experience of bereaved families at inquests.

An inquest is a distinct judicial process. It can be a traumatic ordeal for the bereaved, both in hearing how their loved ones died and through the frustration in the search for answers. That search for the truth, the answers to the unknown questions, is important in helping the bereaved to understand and make sense of tragedies such as this.

The inquest itself is meant to be an inquisitorial process, and as such most inquest hearings are conducted without the need for publicly funded representation. That must be right to ensure they are as accessible as possible to both the bereaved and the wider public. Of course, early legal advice may sometimes be needed and helpful. That is why we have protected early legal advice to support the bereaved in preparing inquests, ensuring
that it remains within the scope of legal aid. It may also be that publicly funded representation at the inquest hearing itself is necessary in certain exceptional circumstances, and if that is the case it should be provided.

Recently, concerns have been levelled against this existing availability of legal aid for inquests. In the light of this, the Ministry of Justice is conducting a review of the current system. This call for evidence forms a key part of this work.

The central aim of this paper is to consider what is needed to ensure that bereaved people have access to the necessary levels of support they need to understand and properly participate at every stage of the proceedings.

The paper seeks to widen our existing evidence base. In particular, we are interested in finding out more about death in custody cases, and cases where there is state involvement in the process. It also seeks to better understand the circumstances in which families may require legal representation to allow for a fair inquest process, and whether changes need to be made to current eligibility criteria.

The paper also includes questions on what can be done beyond the provision of legal aid, to make inquests less adversarial and more sensitive to the needs of bereaved families. This includes looking at the number and actions of lawyers and the style of questioning adopted.

Responses will be used to help us consider whether changes need to be made to existing policies. Any prospective policy options will be presented in a public consultation.

The Government welcome responses from bereaved people, charities, arms-length bodies, the legal profession, experts, and professionals across the system who have experience or involvement in the inquest process.

The call for evidence exercise will run for eight weeks to 31 August 2018.

A copy of the consultation paper will be placed in the Libraries of both Houses and will be available online at: www.gov.uk.

[HCWS894]
Written Statements

Monday 23 July 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Business Policy

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): I will this morning lay before Parliament a draft Registration of Overseas Entities Bill which establishes a register of the beneficial owners of overseas entities that own UK property. This follows the commitment made at the anti-corruption summit in 2016 to establish such a register, in order to combat money laundering and achieve greater transparency in the UK property market.

Overseas entities will be required to register their beneficial ownership information with Companies House before obtaining legal title to UK property via the land registries. Overseas entities that own UK property when the requirements come into force, as well as any overseas entities that subsequently acquire UK property, will be required to register (and regularly update) their beneficial ownership information before they can undertake certain transactions with that property, such as selling or leasing the land, or creating a legal charge over the land, such as a mortgage.

This will deliver a world-first register, and builds upon the UK Government’s global leadership in tackling corruption, ensuring that the UK continues to be a great place to do business.

The draft Bill will be published with accompanying explanatory notes, an overview document and impact assessment and research report on the potential impacts. The draft Bill will undergo pre-legislative scrutiny to ensure that it is robust and workable. The Government intend to introduce the legislation early in the second Session of this Parliament.  

[HCWS897]

CABINET OFFICE

Engaging the Devolved Administrations

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington): I wish to update the House on recent and ongoing engagement between the UK Government and the devolved Administrations and my intentions for maintaining and strengthening intergovernmental relations moving forward.

The UK Government are committed to strong and effective relations with the devolved Administrations of the United Kingdom. As we leave the EU, and in the years ahead, we must continue to strengthen the bonds that unite us, because ours is the world’s most successful union.

It is imperative that, as the United Kingdom prepares to leave the EU, the needs and interests of each nation are considered and that the UK Government and devolved Administrations benefit from a unified approach wherever possible. That is only possible through the strength of our relationships and continued constructive engagement through a number of fora at ministerial and official level.

As chair of the Joint Ministerial Committee on EU negotiations (JMC(EN)), I seek to provide through these meetings the opportunity for meaningful engagement at the right time, to focus discussion on the most pertinent issues, understand where positions between the Administrations differ and find and build on common ground. JMC(EN) has met on five occasions so far this year, to discuss the progress of EU negotiations as well as domestic issues arising from the UK’s departure from the European Union. It is my intention to convene another meeting in September and that the Committee should continue to meet regularly as we approach exit day.

Meetings of JMC(EN) have allowed for considerable progress in a number of shared priority areas, including agreement on a set of principles for establishing common UK frameworks for certain powers as they return from the EU. They also enabled an agreement with the Welsh Government on amendments to the EU (Withdrawal) Bill and the establishment of a new ministerial forum on EU negotiations (MF(EN)) and official-level technical working group sessions to enhance engagement with the devolved Administrations on the UK’s negotiating position. This forum has met on two occasions—in Edinburgh and London—since it was set up in May. The next meeting is due to take place in Cardiff on 1 August and the forum will continue to meet regularly, while remaining flexible to the emerging rhythm of negotiations.

Meetings of the Joint Ministerial Committee on Europe (JMC(E)) also continue to be held in advance of each European Council meeting, providing a forum to discuss the UK Government position on issues being discussed at the European Council that are of an interest to the devolved Administrations.

Officials from all Administrations continue to work together to take forward EU-exit related programmes of work including on frameworks. Recent frameworks engagement has included a number of substantive multilateral discussions on areas where legislative frameworks are envisaged, in whole or in part. We will continue to discuss these areas with the devolved Administrations over the summer.

UK Government officials worked closely with the Scottish and Welsh Governments to develop the provisions that are now in the EU (Withdrawal) Act. While we were able to reach agreement with the Welsh Government, it is disappointing we were not able to reach that same agreement with the Scottish Government. The Northern Ireland civil service has been kept fully informed of the progress of discussions, but it would be for an incoming Northern Ireland Executive to engage with this agreement. This agreement is without prejudice to the re-establishment of a Northern Ireland Executive and the intergovernmental agreement remains open to incoming Ministers in a future Northern Ireland Executive. The Government remain committed to the full restoration of the devolved institutions in Northern Ireland, as the Prime Minister clearly set out to the people of Northern Ireland and the political parties, during her visit of 19-20 July.

The UK Government will continue to seek legislative consent for Bills according to the established practices and conventions, listen to and take account of the views
of devolved Administrations, and work with the Scottish Government, the Welsh Government and Northern Ireland officials on future legislation, just as we always have.

The UK Government and devolved Administrations are also working together to amend laws that would not work appropriately when we leave the EU to ensure we have a fully functioning statute book.

The Cabinet Office works closely with the Scotland Office, the Wales Office and the Northern Ireland Office in overseeing intergovernmental relations and the devolution settlements, as well as in ensuring the UK Government advance the interests of each nation within a stronger United Kingdom. The territorial Secretaries of State engage not only with the devolved Administrations but with stakeholders across the devolved nations, ensuring that the interests of Scotland, Wales and Northern Ireland are fully and effectively represented in the UK Government.

The UK Government also recognise the need to ensure our intergovernmental structures continue to work effectively. The Prime Minister led a discussion on the issue at the plenary meeting of the Joint Ministerial Committee on 14 March, attended by the First Ministers of Scotland and Wales. Ministers agreed that officials should take forward a review of the existing intergovernmental structures and the underpinning memorandum of understanding and report their findings to the Committee in due course. This work is now under way, with UK Government officials working closely with their counterparts in the devolved Administrations.

My Cabinet colleagues of course continue to engage with their counterparts in the devolved Administrations on a regular basis on a wide range of policy matters relating to EU exit and ongoing Government business. [HCWS905]

DEFENCE

Reserve Forces and Cadets Association External Scrutiny Team Report 2018

The Secretary of State for Defence (Gavin Williamson):

I have today placed in the Library of the House a copy of a report into the condition of the reserves and delivery of the Future Reserves 2020 programme compiled by the Reserve Forces and Cadets Associations external scrutiny team.

I am most grateful to the team for its work. In particular, I thank Lieutenant General Robin Brims, who has led the team since 2012, as he leaves that role. I will take some short time to consider the report’s findings and recommendations and will provide a full response to the team in due course.

[HCWS903]

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs Council

The Minister for Europe and the Americas (Sir Alan Duncan): The United Kingdom’s (UK) permanent representative to the European Union, Sir Tim Barrow, represented the UK at the Foreign Affairs Council (FAC). It was chaired by the High Representative and Vice President of the European Union (EU) for Foreign Affairs and Security Policy (HRVP), Federica Mogherini. The meeting was held in Brussels.

Current Affairs

Ministers reviewed the situation in Gaza and the meeting of the Joint Commission of the joint comprehensive plan of action (JCPOA) in Vienna on 6 July. The UK reported on the Western Balkans summit that took place in London on 9 and 10 July. Ministers noted that the EU-Community of Latin American and Caribbean States (CELAC) meeting and Somalia Partnership Forum would take place in Brussels on 16 July.

Eastern Partnership

Ministers discussed the Eastern Partnership ahead of the Eastern Partnership ministerial meeting that will take place in October. They reaffirmed the commitment of the EU to the region, to the reform agenda, and to the priorities identified as the ‘20 deliverables for 2020’, to achieve a stronger economy, governance, connectivity and society. The Council confirmed the continuing relevance of a tailor-made and differentiated approach for each of the six countries (Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine) in their relations with the EU. Ministers noted the progress made in the six countries but also underlined the need to step up reforms in areas such as governance, justice, the fight against corruption, economic reform and the business environment. They expressed particular concern over the situation in the Republic of Moldova. Finally, Ministers highlighted the importance of using the opportunity that the 10th anniversary of the partnership in 2019 would present, to highlight the EU’s commitment to the region.

Libya

The HRVP reported back on her visit to Libya on 14 July. Ministers reiterated their support for the Secretary General of the United Nations’ (UN) special representative, Ghassan Salame. Ministers stressed the need to accelerate work towards elections and that a proper constitutional and legal framework must be in place before they take place. They welcomed the resolution of the recent crisis in the oil crescent but underlined the importance of addressing the causes. Ministers agreed that the EU should increase its work with the UN to ensure that revenues from oil are distributed in a transparent manner and highlighted the results of the EU’s work on the ground on migration.

Democratic People’s Republic of Korea

During discussions on the Democratic Republic of Korea (DPRK), Ministers reiterated their full commitment to support efforts towards complete, verifiable and irreversible denuclearisation of the Korean peninsula and the EU’s readiness to facilitate steps towards this objective. In line with the EU’s policy of critical engagement, Ministers underlined the importance of continuing to maintain pressure through sanctions, while keeping channels of communication open. They also agreed to encourage the DPRK to sign and ratify the comprehensive test ban treaty.

The Council agreed a number of measures without discussion:

The Council adopted conclusions on the International Criminal Court on the 20th anniversary of the statute of Rome;
HEALTH AND SOCIAL CARE

Health and Social Care Update

The Minister for Care (Caroline Dinenage): The Learning Disabilities Mortality Review (LeDeR) published its second annual report on 4 May 2018, which covered the period from 1 July 2016 to 30 November 2017. The programme is led by the Norah Fry Centre for Disability Studies at the University of Bristol and commissioned by the Healthcare Quality Improvement Partnership (HQIP) on behalf of NHS England.

As I outlined to the House on 8 May (Official Report, 8 May 2018, Vol. 640, Col. 545), the report makes a series of national recommendations that are aimed at NHS England, as well as health and care commissioners and providers.

This Government are committed to reducing the health inequalities that people with learning disabilities face, and reducing the number of people with learning disabilities whose deaths may have been preventable with different health and care interventions.

There is already a considerable amount of work underway to address the issues raised in the second annual report of the LeDeR. The Department is working with NHS England and other system partners to agree meaningful actions to each of the nine recommendations, and our response to the report will be published after summer recess.

[HCWS906]

EU Settlement Scheme

The Minister for Immigration (Caroline Nokes): My right hon. Friend the Home Secretary laid before Parliament on Friday 20 July a statement of changes in immigration rules [Cm 9675] concerning the EU settlement scheme for resident EU citizens and their family members. The Government also laid before Parliament on Friday 20 July the Immigration and Nationality (Fees) (Amendment) (EU Exit) Regulations 2018, which provide for the fees and fee exemptions for the scheme.

As set out in the statement of intent published on 21 June 2018, and in my oral statement that day about the scheme (columns 508-520), the EU settlement scheme will be opened on a phased basis from later this year and will be fully open by 30 March 2019, and this will be preceded by a private beta phase to enable us to test the relevant processes and ensure that they work effectively. These measures, together with the Immigration (Provision of Physical Data) (Amendment) (EU Exit) Regulations 2018 on biometric enrolment for the scheme, which were laid on 2 July under the affirmative procedure, will enable this private beta phase to begin from 28 August 2018.

I am very grateful to the 15 public sector organisations set out in the statement of changes in immigration rules which have agreed to take part in the private beta phase. They are 12 NHS Trusts and three universities in the north-west of England, whose relevant employees and students will, if they wish, be able to apply for status under the EU settlement scheme during this period. It is appropriate that the national health service and the higher education sector, which both benefit so greatly from the contribution of EU citizens, should help in this way to establish the EU settlement scheme. As indicated in the statement of intent, we will provide further details in due course of our plans for the phased roll-out of the scheme.

We also continue to expand our wider communications about the EU settlement scheme to ensure that EU citizens and their family members living in the UK are aware of it and of how it will operate, but are also reassured that, in line with the draft withdrawal agreement, they will have plenty of time (until 30 June 2021) in which to apply for status under the scheme.

[HCWS901]

Government Transparency Report

The Secretary of State for the Home Department (Sajid Javid): I have today laid before the House the third iteration of the Government transparency report on the use of disruptive and investigatory powers (Cm 9609). Copies of the report will be made available in the Vote Office.

In view of the ongoing threat from terrorism, including five attacks in the UK since the previous publication of this report, and the persistent threats from organised crime and hostile state activity, it is vital that our law enforcement and security and intelligence agencies can use disruptive and investigatory powers to counter those threats and to keep the public safe. This report sets out the way in which those powers are used by the agencies and the stringent safeguards and independent oversight which governs their use.

As this report shows, there has been a marked increase in the use of certain powers since publication of the second iteration in 2017. This is largely a reflection of
our commitment to disrupt and manage the return and threat posed by UK-linked individuals in Syria and Iraq. This Government remain committed to increasing the transparency of the work of our security and intelligence and law enforcement agencies, and this next iteration of the transparency report is a key part of that commitment.

Publishing this report ensures that the public are able to access, in one place, a guide to the range of powers used to combat threats to the security of the United Kingdom, the extent of their use, and the safeguards and oversight in place to ensure they are used properly.

[HCWS900]

Justice and Home Affairs Post-Council Statement

The Secretary of State for the Home Department (Sajid Javid): The first meeting of EU Interior and Justice Ministers during the Austrian presidency took place on 12 and 13 July in Innsbruck. A senior Government official represented the UK for Interior day. The Secretary of State for Justice represented the UK on Justice day.

Interior day focused on the follow-up to the June European Council on migration. Discussion reflected on the progress made since the 2015 migration crisis, and the challenges that the EU continues to face. There was broad consensus on the need for strong external border protection, as well as the establishment of regional disembarkation platforms. Member states agreed that the Common European Asylum System (CEAS) reforms, including Dublin IV, should be negotiated as a package. The UK continues to support a comprehensive approach to migration but does not support a mandatory redistribution system within the EU and has not opted into the Dublin IV regulation.

The lunch debate was centred around anti-Semitism and European values. A number of Jewish organisations presented to Ministers their view of the situation for Jews in Europe. Ministers agreed on the importance of combating anti-Semitism in all its forms, and noted the importance of combating online hate speech. The UK condemns all forms of extremism.

Community policing and human trafficking was the final discussion on Interior day, where Ministers discussed practical methods to improve trust between police forces and communities.

Justice day began with a consideration of the Commission’s e-evidence proposals. The UK is currently considering whether to opt in to the e-evidence regulation. Member states considered the opportunities and challenges in negotiating a bilateral EU agreement with the US to enable direct execution of requests for electronic evidence, including concerns over fundamental rights. The Secretary of State for Justice intervened to set out the progress to date on the UK-US agreement, noting the passage of the CLOUD Act in the US and offering to share UK experience to support the Commission.

During the discussion on “Enhancing judicial co-operation in civil matters”, the Commission urged ambition in adopting e-Codex (e-Justice Communication via Online Data Exchange) and the greater use of videoconferencing under the two proposed regulations on service and taking of evidence. The Secretary of State for Justice noted that the proposed regulation for taking of evidence would mean that where evidence is being obtained directly by a court from a person domiciled in another member state, the person from whom the evidence is requested will be compelled to provide it, and that the implications of this will need to be considered. He also expressed the UK’s view that consideration needs to be given to the proportionate costs of e-Codex in relation to requests being served through unsecure post.

Justice day ended with a working lunch on “Mutual recognition in criminal matters”, during which Ministers discussed the areas of judicial co-operation that would require a strengthening of mutual trust.

[HCWS899]
assurances from them that they are confident the council is now in a position to drive forward and deliver its own improvement agenda.

As a result of this robust evidence provided by commissioners and the positive conversations with the council, I am pleased to announce that I am minded to exercise my powers under section 15 of the Local Government Act 1999 to revoke the Direction of 26 February 2015 as amended, and remove commissioners from the council and hand back the remaining executive functions to the council.

However, I am mindful that the decision to hand back the remaining functions, particularly children’s services, is a significant one. Therefore, I am also announcing that I am minded to put a new Direction in place which requires Rotherham Metropolitan Borough Council to undertake an independent review before 31 March 2019 when the new Direction expires. This will enable a last check of the council’s performance once the commissioners have left.

I am inviting the council to make representations on these proposals, which will be considered as part of my final decision.

We are determined to protect children from harm, and we will do everything we can to prevent this from happening again—either in Rotherham or elsewhere. Government Departments are working collectively to ensure that the National Crime Agency’s Operation Stovewood, and victims of child sexual exploitation in Rotherham, have the support that they need. The Home Secretary has written recently to Rotherham and the South Yorkshire Police and Crime Commissioner confirming Government’s commitment to working closely with Rotherham over the coming years to assess the demand on services, to encourage as many victims as possible to come forward and to provide support—financial and otherwise—where it is appropriate to do so. To date, the Home Office has provided £12.4 million of police special grant funding towards Operation Stovewood. The Department for Education is providing additional funding of up to £2 million to Rotherham’s children’s social care services, over the four year period 2017-21, for additional social workers to work with children in need of support as identified through Operation Stovewood. The Ministry of Justice has provided £1.6 million to the Police and Crime Commissioner to commission additional services locally and also committed around £549,000 extra funding to provide specialist support, including for the provision of Independent Sexual Violence Advisers. NHS England has worked with regional Health and Justice Commissioners and partners to reconfigure existing resources to support victims in Rotherham, providing £500,000 from 2018 to 2020 to support the sustainability of this project.

I am placing a copy of the documents associated with these announcements in the Library of the House and on my Department’s website.

PRIME MINISTER
Intelligence Policy Oversight

The Prime Minister (Mrs Theresa May): The 2016-17 annual report of the Intelligence and Security Committee was laid before Parliament on 20 December 2017 (HC 655). I responded to this on the same day in a written ministerial statement. The Government have given additional consideration to the Committee’s many important conclusions and recommendations, and I have today laid a further Government response before the House (HC 6578).

Copies of the response have been placed in the Libraries of both Houses. [HCWS902]

WOMEN AND EQUALITIES
Government Response to Caste Consultation

The Minister for Women and Equalities (Penny Mordaunt): No one should suffer prejudice or discrimination on any grounds, including any perception of their caste. In March last year, the Government launched a consultation on “Caste in Great Britain and Equality Law” to obtain the views of the public on how best to ensure that appropriate and proportionate legal protection exists for victims of caste discrimination. The consultation ran in total for six months, closing in September 2017.

I am publishing the Government’s response to that consultation today, together with an independent analysis of the consultation that provides an assessment of all the responses. This report should be read in conjunction with the Government’s response.

The consultation considered different ways of protecting people from caste discrimination. The first option was to implement a duty, which was introduced by Parliament in 2013, to make caste an aspect of race discrimination under the Equality Act 2010. The second was to rely on emerging case law which, in the view of Government, shows that a statutory remedy against caste discrimination is available through existing provisions in the Equality Act, and to invite Parliament to repeal the duty on that basis.

The consultation received over 16,000 responses, showing the importance of this issue for many people in particular communities. About 53% of respondents wanted to rely on the existing statutory remedy and repeal the duty, 22% rejected both options (mainly because they wished the Government to proscribe the concept of caste in British law altogether) and about 18% of respondents wanted the duty to be implemented. The arguments put forward for these different views are set out in the Government’s response and in more detail in the analysis.

The Government’s primary concern is to ensure that legal protection against caste discrimination is sufficient, appropriate and proportionate. After careful consideration of all the points raised in the consultation, we have decided to invite Parliament to repeal the duty because it is now sufficiently clear that the Equality Act provides this protection. The judgment of the Employment Appeal Tribunal in Tirkey v. Chandhok shows that someone claiming caste discrimination may rely on the existing statutory remedy where they can show that their “caste” is related to their ethnic origin, which is itself an aspect of race discrimination in the Equality Act.

The judgment is binding on all who bring a claim in an employment tribunal, has status equivalent to a High Court decision, and is based on the application of case law decided at a higher level. The Government consider, having also taken into account the consultation...
responses, that the Tirkey judgment serves as a welcome clarification of the existing protection under the Equality Act—helping to deter those inclined to treat others unfairly or unequally because of conceptions of caste. We believe that the decision makes the introduction of additional statutory protection in the Equality Act unnecessary.

In light of changed circumstances since 2013, we intend to legislate to repeal the duty for a specific reference to caste as an aspect of race discrimination in the Equality Act once a suitable legislative vehicle becomes available.

We recognise that this is an area of domestic law which may develop further, and have carefully considered the full terms of the Tirkey judgment. We will monitor emerging case law in the years ahead.

To make clear that caste discrimination is unacceptable we will, if appropriate, support a case with a view to ensuring that the higher courts reinforce the position set out in Tirkey v. Chandhok.

In order to ensure that people know their rights and what sort of conduct could be unlawful under the Equality Act, we also intend to produce short guidance before the repeal legislation is introduced. We want this to be of particular use to any individual who feels they may have suffered discrimination on grounds of caste. It should also help employers, service providers and public authorities who are outside those groups most concerned with caste and who may have little awareness of caste divisions.

I am placing a copy of the response and accompanying report in the Libraries of both Houses.

[HCWS898]
Written Statements
Tuesday 24 July 2018

ATTORNEY GENERAL
Law Officers Department

The Attorney General (Mr Geoffrey Cox): I am today announcing the appointment of Max Hill QC as the next Director of Public Prosecutions.

Under the Prosecution of Offences Act 1985, it is my duty to appoint a person to be the Director of Public Prosecutions, who shall discharge their functions under my superintendence. The Prime Minister and Cabinet Secretary have been notified of this appointment.

This appointment was conducted in line with civil service guidance and the process was overseen by the First Civil Service Commissioner.

[BHCWS913]

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Business Investment

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The Government are today publishing a White Paper: “National Security and Investment”.

It sets out the Government’s plans to upgrade their powers to scrutinise investments and other acquisitions on national security grounds. These proposals deliver on the commitment made by the Government in the 2017 Queen’s Speech to bring forward reforms to “ensure that critical national infrastructure is protected to safeguard national security.”

This country has a proud and hard-won reputation as one of the most open economies in the world. Our economic success stems from our belief in international trade and our support for foreign direct investment. Of course, an open approach to international investment must include appropriate safeguards to protect our national security—particularly in a world where the threats we face are evolving.

This White Paper is the product of the Government’s consultative approach to reform in this area, following on from the Green Paper published in the autumn and subsequent public consultation. The Government have reflected carefully on the feedback provided by a wide variety of stakeholders, including businesses, investors and law firms.

The Government’s existing powers to screen certain mergers for public interest reasons, including national security, derive from the Enterprise Act 2002. We need to make sure they are kept up to date in the light of economic, technological and national security changes.

In June, Parliament enacted secondary legislation to amend the thresholds in the Enterprise Act 2002 for three specific areas of the economy, military/dual-use, computing hardware and quantum technology, enabling the Government to intervene in more mergers that may raise national security concerns.

The White Paper sets out how the Government will address the risks that can arise from hostile actors acquiring ownership of, or control over, businesses or other entities and assets that have national security implications.

The Government will encourage businesses and investors to notify them ahead of transactions and other events that might give rise to national security risks. The majority of transactions raise no national security concerns and the Government expect that they could quickly rule out national security risks in many cases, allowing parties to proceed with certainty.

The Government would be able to “call-in” transactions that may give rise to national security risks to assess them more fully. This “call-in” power would be economy-wide, reflecting the Government’s need for flexibility to address national security risks wherever they arise.

To provide maximum certainty and clarity to business and investors, the Government will publish a statement of policy intent, setting out how the “call-in” power is expected to be used. A draft of this document is published today.

It is important that the Government have a variety of tools available to address risks to national security where they are identified. The remedies proposed by the Government include:

- confirmation to proceed, approval subject to conditions and—in the rare circumstances where it is the only available course of action—blocking or unwinding a deal, where this has already taken place.

The Government believe that the proposed package of reforms published today strikes the right balance between maintaining the openness and attractiveness of the UK as a destination for inward investment, while also providing the Government with modernised powers they need to protect the country.

Today’s publication marks the start of a 12-week consultation, during which time we will continue to work with those with an interest in these reforms and consider the feedback received.


[HCWS907]

TREASURY

ECOFIN: 13 July

The Chancellor of the Exchequer (Mr Philip Hammond): A meeting of the Economic and Financial Affairs Council (ECOFIN) was held in Brussels on 13 July 2018. EU Finance Ministers discussed the following:

Early morning session

The Eurogroup President briefed the Council on the outcomes of the 12 July meeting of the Eurogroup, and the European Commission provided an update on the current economic situation in the EU.

VAT: generalised reverse charge mechanism and e-publications

The Council held an exchange of views on proposals to allow member states to temporarily apply a VAT generalised reverse charge mechanism, and proposals to allow member states to apply non-standard rates of VAT to e-publications.

Current financial services legislative proposals

The Austrian presidency provided an update on current legislative proposals in the field of financial services.


Presidency work programme

The Austrian presidency presented its work programme on economic and financial matters for July to December 2018. This was followed by an exchange of views.

June European Council follow-up

The Council held an exchange of views on the follow-up to the European Council of 28 and 29 June 2018. This was followed by an exchange of views.

G20 meeting

The Council approved the EU terms of reference for the G20 meeting of Finance Ministers in Buenos Aires on 21 and 22 July.

HM Government’s Guarantee

The Chief Secretary to the Treasury (Elizabeth Truss):

In 2016, the Government guaranteed funding for UK organisations in receipt of EU funds where projects are agreed before the day the UK leaves the EU. The guarantee is designed to apply in the event that the EU does not meet its financial obligations after EU exit and provide assurance to current UK participants in EU programmes or those considering bids for EU funds prior to exit.

The Government are continuing to work towards a deal with the EU and under the terms of the implementation period the UK will continue to participate in the programmes financed by the current EU budget until their closure. As a consequence, the Treasury is extending the Government’s guarantee of EU funding to underwrite the UK’s allocation for structural and investment fund projects under this EU budget period to 2020. The Treasury is also guaranteeing funding in the event of a no deal for UK organisations which bid directly to the European Commission so that they can continue competing for, and securing, funding until the end of 2020. This ensures that UK organisations, such as charities, businesses and universities, will continue to receive funding over a project’s lifetime if they successfully bid into EU-funded programmes before December 2020. In addition to this guarantee, the Government will establish a UK shared prosperity fund. The fund will tackle inequalities between communities by raising productivity, especially in those parts of our country whose economies are furthest behind. A departmental minute providing full details of the liabilities associated with this announcement has been laid in the House of Commons.

Education Support Fund

The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):

The education support fund (ESF) was introduced in 2011 as a Ministry of Defence (MOD) fund to supplement the provisions made by the relevant educational authorities across the UK to mitigate the adverse effects of family mobility and parental absence on the children of service personnel. This supplement was considered necessary given the increased operational tempo at the time and the planned drawdown from Germany. The ESF was due to conclude at the end of the 2017-18 financial year.

The armed forces covenant is a promise by the nation that those who serve and have served and their families are not disadvantaged as a result of their service. The provision of educational support for the children of
service personnel is primarily the responsibility of the relevant educational authorities and I am grateful to colleagues in the Department for Education for their continued support for the covenant through both the service pupil premium and individual projects, including the £2.8 million recently announced to support the expansion of the Army in the Salisbury plain area. I am also grateful to colleagues in the Welsh Government for creating a £200,000 fund, which I hope can be extended, this year to support service children in Wales.

In the light of the ongoing drawdown from Germany and to provide time for the educational authorities across the UK to bring in longer-term provision for service children as necessary, I am pleased to announce that I have asked the MOD to extend the ESF, on a limited basis, for two years. The fund will consist of £3 million this year and £2 million in 2019-20.

[HCWS908]

Departmental Update

The Secretary of State for Defence (Gavin Williamson): I am today announcing the Government’s decision on pay rises for the armed forces.

The Armed Forces Pay Review Body (AFPRB) has made its recommendation for the 2018-19 pay award of 2.9%. We are accepting the spirit of this recommendation with a 2% increase to pay (implemented in September salaries, backdated to 1 April 2018) and, in addition, a 0.9% nonconsolidated one-off payment (implemented later in the year, also backdated to 1 April 2018).

Today’s pay award will deliver an annual increase to starting salaries of £520 for an officer and £370 for a newly trained soldier, sailor or airman or woman. This is in addition to the non-contributory pension and access to incremental pay progression.

The AFPRB has also made recommendations on rises and changes to other targeted forms of remuneration, and on increases to food and accommodation charges, which have been accepted. Where applicable, these rate changes will also be backdated to 1 April 2018.

The Government are committed to world-class public services and ensuring that public sector workers are fairly paid for the vitally important work that they do. It is thanks to our balanced approach to public finances—getting debt falling as a share of our economy, while investing in our vital services and keeping taxes low—that we are today able to announce a fair and deserved pay rise for the armed forces, their biggest increase since 2010.

We ended the 1% average pay policy in September 2017, because we recognised more flexibility is now required to deliver world-class public services including in return for improvements to public sector productivity.

We value the role of the independent pay review bodies and thank them for their work in considering pay awards. In reaching a final position for 2018-19 public sector pay awards, we have balanced a need to recognise the value and dedication of our hard-working public servants while ensuring that our public services remain affordable in the long term, to contribute to our objective of reducing public sector debt. We have also sought to ensure that pay awards are fair and consistent across public sector workforces, reflect existing pay and benefit packages, in addition to recruitment and retention levels.

It is vital that we consider all pay awards in the light of wider pressures on public spending. Public sector pay needs to be fair both for public sector workers and the taxpayer. Around a quarter of all public spending is spent on pay and we need to ensure that our public services remain affordable for the future.

It is also vital that our world-class public services continue modernising to meet rising demand for the incredible services they provide, which improve our lives and keep us safe.

[HCWS909]

Jordanian Armed Forces: Provision of Equipment

The Secretary of State for Defence (Gavin Williamson): I have today laid before the House a departmental minute discussing the provision of equipment and infrastructure worth £13.3 million to the Jordanian armed forces over the period 2015-17 that was not previously notified to Parliament.

The provision of equipment was treated as a grant in kind. Following correspondence from the Chair of the Public Accounts Committee in 2016, Departments which previously treated these payments as gifts undertook to notify the House of Commons of any such grant in kind of a value exceeding £300,000 and explaining the circumstances; and to refrain from making the grant until 14 parliamentary sitting days after the issue of the minute, except in cases of special urgency.

The granting of this equipment and infrastructure supported the Jordanian defence and borders programme and is fundamental to the aims of the UK Government’s strategy for Jordan. Delivery of targeted areas of equipment and infrastructure support is an integral part of the approach in order to assist Jordan in developing the capability to protect its borders. In this case, the equipment and infrastructure provided ranged from armoured 4x4 vehicles, IT, personal equipment (including protective clothing) to administration, accommodation, training and logistics buildings.

The activity was in support of the National Security Council objectives and was funded through the conflict, security and stability fund administered by the Foreign and Commonwealth Office, the Department for International Development and the Ministry of Defence.

The Ministry of Defence has conducted a detailed examination of the errors made and has taken robust measures to ensure that an oversight such as this does not occur again.

[HCWS910]

DIGITAL, CULTURE, MEDIA AND SPORT

Full-time Social Action Review

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): In March 2017, DCMS commissioned Steve Holliday to chair an
The Minister for School Standards (Nick Gibb): Today I am announcing details of school revenue funding for 2019-20, through three of the four blocks of the dedicated schools grant: the schools block, the high needs block, and the central school services block. Funding allocations for the early years block will be published later in the year, as usual.

School funding is at a record high, and schools have already benefited from the introduction of the national funding formula in April 2018. This is an historic reform, which means that, for the first time, resources are being distributed based on the individual needs and characteristics of every school in the country. The formula allocates every local authority more money for every pupil, in every school, in both 2018-19 and 2019-20, compared to their 2017-18 baselines.

The additional investment of £1.3 billion for schools and high needs across 2018-19 and 2019-20 announced last year, on top of the schools budget set at spending review 2015, means that per-pupil funding is being maintained in real terms between 2017-18 and 2019-20. In 2020 per-pupil funding will be more than 50% higher than it was in 2000, in real terms.

I can confirm that we will deliver our planned updates to the formula in 2019-20. This includes:

- increasing the minimum per-pupil funding level to £4,800 for secondary schools, and to £3,500 for primary schools;
- increasing the funding floor so that all schools will attract at least a 1% per pupil gain against their 2017-18 baselines; and enabling underfunded schools to gain a further 3% per pupil, on top of the 3% they gained in 2018-19—this means that next year, underfunded schools will be attracting up to 6% more, per pupil, compared to 2017-18.

I am also confirming some small, technical changes to the schools block formula, which are set out in the accompanying policy document. In particular, we have introduced a new approach for allocating funding to local authorities to support schools with significant in-year growth in pupil numbers. This means that local authorities will be funded according to actual levels of pupil number growth, rather than on the basis of historic spending.

In the high needs formula, the funding floor will also increase to 1% per head and the gains cap will allow increases of up to 6% per head compared to 2017-18, up from 3% in 2018-19. The accompanying policy document sets out some further small changes to the way high needs funding is allocated, including changes to the arrangements for funding places at special free schools.

The primary and secondary units of funding for local authorities that we are publishing today will be used to set schools’ final allocations on the basis of updated pupil numbers data in the autumn. As we did alongside the launch of the national funding formula last year, in the interests of transparency and to help authorities and schools plan ahead, we are also publishing the notional school-level allocations which have been used to calculate those units of funding. Details of these arrangements have been published on gov.uk.

We recognise that the introduction of the national funding formula has represented a significant change to the way schools are funded. To provide stability for authorities and schools through the transition, we have previously confirmed that in 2018-19 and 2019-20 each local authority will continue to set a local formula, in consultation with local schools. These local formulae determine individual schools’ budgets in their areas.

We recognise that some areas use this local flexibility to tailor their local formula, for instance because of local changes in characteristics, rapid growth in pupil numbers or to invest more in pupils with additional needs. This year, however, we have seen considerable movement in local formulae towards the national funding formula: 73 local authorities have moved every one of their factor values in their local formulae closer to the national funding formula, with 41 already—in the formula’s first year of introduction—mirroring it almost exactly, and 112 local authorities have brought in a minimum per-pupil funding factor, following its introduction in the national funding formula.

We are pleased to see this significant progress across the system in moving towards the national funding formula in its first year. In the light of this progress, and in order to continue to support a smooth transition, I am confirming that local authorities will continue to determine local formulae in 2020-21.

After too many years in which the funding system has placed our schools on an unfair playing field, this Government have finally made the historic move towards fair funding. Alongside the increased investment we are making in schools, this will underpin further improvements in standards and help create a world-class education system, and build a system that allows every child to achieve their potential, no matter their background.

Today the Secretary of State has also confirmed the 2018 teachers’ pay award. To ensure that this is fully affordable to schools, we will be providing a teachers’ pay grant of £187 million in 2018-19 and £321 million to all schools in England in 2019-20. This will cover, in full, the difference between this award and the cost of the 1% award that schools would have anticipated under the previous public sector pay cap. The grant will provide additional support to all maintained schools and academies, over and above the core funding that they receive through the national funding formula.

The Secretary of State for Education (Damian Hinds): We want to ensure that we can recruit and retain brilliant teachers. To ensure that teaching remains an
pay rise for teachers, their biggest increase since 2010-11.

We are today able to announce this fair and deserved getting debt falling as a share of our economy, while It is thanks to our balanced approach to public finances— fairly paid for the vitally important work that they do.

services and ensuring that public sector workers are confirmed. on the distribution of this grant when the pay a ward is above the core funding that they receive through the national funding formula. We will publish further details to all maintained schools and academies, over and above the core funding that they receive through the national funding formula. We will publish further details on the distribution of this grant when the pay a ward is confirmed.

The Government are committed to world class public services and ensuring that public sector workers are fairly paid for the vitally important work that they do. It is thanks to our balanced approach to public finances—getting debt falling as a share of our economy, while investing in our vital services and keeping taxes low—that we are today able to announce this fair and deserved pay rise for teachers, their biggest increase since 2010-11.

We ended the 1% average pay policy in September 2017, because we recognised more flexibility is now required to deliver world-class public services including in return for improvements to public sector productivity.

We value the role of the independent pay review bodies and thank them for their work in considering pay awards. In reaching a final position for 2018-19 public sector pay awards, we have balanced a need to recognise the value and dedication of our hard-working public servants while ensuring that our public services remain affordable in the long term, to contribute to our objective of reducing public sector debt. We have also sought to ensure that pay awards are fair and consistent across public sector workforces, and reflect existing pay and benefit packages, in addition to recruitment and retention levels.

It is vital that we consider all pay awards in the light of wider pressures on public spending. Public sector pay needs to be fair both for public sector workers and the taxpayer. Around a quarter of all public spending is spent on pay and we need to ensure that our public services remain affordable for the future.

It is also vital that our world-class public services continue modernising to meet rising demand for the incredible services they provide, which improve our lives and keep us safe.

I will deposit in the Libraries of both Houses a full list of the recommendations and my proposed approach for all pay and allowance ranges.

My officials will write to all of the statutory consultees of the STRB to invite them to contribute to a consultation on the Government’s response to these recommendations and on a revised school teachers’ pay and conditions document and pay order. The consultation will last for six weeks.

My detailed response contains further information on these matters.

HEALTH AND SOCIAL CARE

Departmental Update

The Secretary of State for Health and Social Care (Matt Hancock): I am responding on behalf of my right hon. Friend the Prime Minister to the 46th report of the Review Body on Doctors’ and Dentists’ Remuneration (DDRB). The report has been laid before Parliament today (Cm 9670) and a copy is available online. I am grateful to the chair and members of the DDRB for their report.

I am today announcing pay rises for doctors and dentists working across the NHS.

This is a pay rise that recognises the value and dedication of hard-working doctors and dentists, targeting pay as recommended by the DDRB, and taking into account affordability and the prioritising of patient care.

Supporting the NHS workforce to deliver excellent care is a top priority. Following this one-year pay rise, we want to open up a wider conversation on pay and improvements. This is the start of a process whereby we will seek to agree multi-year deals in return for contract reforms for consultant and GPs. We want to make the NHS the best employer in the world.

In June this year nurses were awarded a multi-year award as part of a pay and contract reform deal and it is only right that pay rises are targeted at the lowest paid workers.

Including the announcement of today’s pay award, from October 2018 a consultant who started in 2013 will have seen a 16.5% increase in their basic pay, rising to a salary of £87,665 from £75,249. Today’s pay award is worth:

- Between £1,150 and £1,550 for consultants
- Between £1,140 and £2,120 for specialty doctors
- Between £1,600 and £2,630 for associate specialists
- Between £532 and £924 for junior doctors

Around £1,052 for a salaried GP with a median taxable income of £52,600.

GPs face a significant challenge in numbers and we need to recruit large numbers over a short period, meaning any pay rise needs to be balanced against our
aim for a growing number of practitioners. The 2018-19 pay award is worth £2,000 per year to a GP contractor with a median taxable income of £100,000.

The Government’s response to the DDRB’s recommendations takes account of:

- Affordability in 2018-19 in the context of a spending review that budgeted for 1% average basic pay awards
- The importance of prioritising patient care, and the long-term funding settlement which increases NHS funding by an average 3.4% per year from 2019-20, and which will see the NHS receive £20.5 billion a year in real terms by 2023
- The three-year contract reform agreement on the Agenda for Change pay contract for 1 million non-medical staff, which delivered significant reforms as part of 3% pay investment per year, including progression pay reforms that end automatic annual increments; and
- the case for contract reform for some of the DDRB’s remit groups, in particular for consultants and GPs.

The Government’s response is as follows:

**Consultants**

I am committing to negotiations on a multi-year agreement incorporating contract reform for consultants to begin from 2019-20.

From 1 October 2018:
- A 1.5% increase to basic pay
- The value of both national and local clinical excellence awards (CEAs) to be frozen
- 0.5% of pay bill to be targeted on the new system of performance pay to increase the amount available for performance pay awards from 2019-20. Employers will be able to choose to use the 0.25% of funding available in 2018-19 as transitional funding to manage the costs of running the required CEA round this year or to invest it additionally should they choose to do so.

**Doctors and dentists in training**

As agreed in the May 2016 ACAS agreement, we will discuss changes to the pay structure as part of the 2018 review of the contract, re-investing any existing funding freed up as transition costs reduce.

From 1 October 2018:
- A 2% increase in basic pay and the value of the flexible pay premia
- Introduction of a flexible pay premium for doctors on training programmes in histopathology of the same value as that currently provided for doctors on training programmes in emergency medicine and psychiatry.

**Specialty doctors (new grade 2008) and associate specialists (closed grade)**

I take note of the DDRB comments about the particular issues of morale in relation to this group that led to its pay recommendation and its observation on the need for a review of the salary structure for these grades as part of a wider review of their role, their career structure and the developmental support available to them. It is intended that this will follow the agreement of reformed arrangements for consultants.

From 1 October 2018:
- Increase basic pay by 3%

**General dental practitioners**

From 1 April 2018 (backdated):
- Increase expenses by 3%

From 1 October 2018:
- Increase dental income and staff costs by 2%

**General medical practitioners**

I intend to ask NHS England to take a multi-year approach to the GP contract negotiations with investment in primary care linked to improvements in primary care services.

From 1 April 2018 (backdated):
- Add a further 1% to the value of the GP remuneration and practice staff expenses through the GP contract, supplementing the 1% already paid from April 2018 and making a 2% uplift in all. This will enable practices to increase the pay of practice staff.

From 1 October 2018:
- The recommended minimum and maximum pay scales for salaried GPs will be uplifted by 2%
- The GP trainer grant and GP appraiser fees will be increased by 3% and we will apply the same approach to clinical educators’ pay; GP and dental educators.

From 1 April 2019:
- The potential for up to an additional 1%, on top of the 2% already paid to be added to the baseline, to be paid from 2019-20 conditional on contract reform, through a multi-year agreement from 2019-20. This would be in addition to the funding envelope for the contract negotiation for 2019-20 onwards. This would be reflected in respect of GP remuneration, practice staff expenses and the recommended minimum and maximum pay scales for salaried GPs.

Attachments can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-07-24/HCWS917/ [HCWS917]

**HOME DEPARTMENT**

**Departmental Update**

**The Secretary of State for the Home Department (Sajid Javid):** The Government have carefully considered the Police Remuneration Review Body (PRRB) recommendations for police pay 2018-19. These recommendations are not being accepted in full.

The Government are announcing today that the 2018-19 pay award for the police will award police officers an increase of 2% consolidated from 1 September 2018. This also includes the recommended 2% increase in London weighting and 2% increase in dog handlers’ allowance.

Officers who have not reached the top of their pay band will also receive incremental progression pay worth at least 2%, depending on satisfactory performance.

The PRRB issued early recommendations on police apprentice pay ahead of its main report. The Government are accepting PRRB recommendations on this issue, in that forces should appoint apprentice constables on a starting salary of between £18,000 and pay point 1, with understandings that:

- individual forces are able to choose to use a starting salary between £18,000 and pay point 1;
- the pay expectations of apprentices will not be undermined by later changes to the arrangements; and
- the NPCC will develop further proposals for apprentice pay and career progression beyond the first year.

The Government are committed to world-class public services and ensuring that public sector workers are fairly paid for the vitally important work that they do. It is thanks to our balanced approach to public finances—getting debt falling as a share of our economy, while
investing in our vital services and keeping taxes low. We ended the 1% average pay policy in September 2017, because we recognised more flexibility is now required to deliver world-class public services, including in return for improvements to public sector productivity.

We value the role of the independent pay review bodies and thank them for their work in considering pay awards. In reaching a final position for 2018-19 public sector pay awards, we have balanced a need to recognise the value and dedication of our hard-working public servants while ensuring that our public services remain affordable in the long term, to contribute to our objective of reducing public sector debt. We have also sought to ensure that pay awards are fair and consistent across public sector workforces, and reflect existing pay and benefit packages, in addition to recruitment and retention levels.

It is vital that we consider all pay awards in the light of wider pressures on public spending. Public sector pay needs to be fair both for public sector workers and the taxpayer. Around a quarter of all public spending is spent on pay and we need to ensure that our public services remain affordable for the future.

It is also vital that our world-class public services continue modernising to meet rising demand for the incredible services they provide, which improve our lives and keep us safe.

The Police Remuneration Review Body report has been laid before Parliament and copies are available in the Vote Office and on gov.uk.

Proceeds of Crime Act 2002

The Minister for Security and Economic Crime (Mr Ben Wallace): My right hon. Friend the Home Secretary is today laying before Parliament the 2016-17 annual report of the appointed person under the Proceeds of Crime Act 2002. The appointed person is an independent person who scrutinises the use of the search and seizure powers that support the measures in the Act to seize and forfeit cash used for criminal purposes and to seize and sell property in settlement of confiscation orders.

The report gives the appointed person’s opinion as to the circumstances and manner in which the search and seizure powers conferred by the Act are being exercised. I am pleased that the appointed person, Mr Douglas Bain, has expressed satisfaction with the operation of the powers and has found that there is nothing to suggest that the procedures are not being followed in accordance with the Act. Mr Bain has made two recommendations this year. The Government will give due consideration to Mr Bain’s recommendations.

From 1 April 2016 to the end of March 2017, over £134 million in cash was seized by law enforcement agencies in England and Wales under powers in the Act. The seizures are subject to further investigation, and the cash is subject to further judicially approved detention, before forfeiture in the magistrates court. These powers are a valuable tool in the fight against crime and the report shows that the way they are used has been, and will continue to be, monitored closely.

Copies of the report will be available in the Vote Office.

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Fixing our broken housing market is one of the Government’s top domestic priorities. The number of new homes built increased to 217,350—a 15% increase on the previous year—but we know there is much more to do. As one step towards this the Government are publishing today the new national planning policy framework, the Government response to the draft revised national planning policy framework and associated supplementary material. Consultation on the draft framework ran from 5 March to 10 May and the Government are grateful to all who responded—and in the light of comments received the Government have made important changes to this framework.

The new framework is fundamental to strengthening communities and to delivering the homes communities need. It sets out a comprehensive approach to ensuring the right homes are built in the right places and of the right quality, at the same time as protecting our precious natural environment.

Critically, progress must not be at the expense of quality or design. Houses must be right for communities. So the planning reforms in the new framework should result in homes that are locally led, well designed, and of a consistent and high-quality standard. Visual tools and design guides and codes promoted by the new framework will help create distinctive places. The framework makes clear that developments should be visually attractive and add to the overall quality of the area. To reinforce the message on design, it also states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Equally, building more homes should not be at the expense of the natural environment—there is a balance to be struck between enabling development while also protecting the natural environment. Therefore the new framework also increases protections to ensure we leave our environment in a better condition than we inherited it. Specifically, it increases protection for irreplaceable habitats such as ancient woodland, and ancient and veteran trees so that any development that impacts these habitats would have to be “wholly exceptional”. It also gives greater clarity to the strong protections for the green belt. It makes clear areas should examine fully all other reasonable options before green belt boundaries can be changed. It also makes clear that authorities should plan for improvements to the environmental quality and accessibility of remaining green belt land. The framework goes further to clarify the importance of local wildlife sites in plan making and enhancing the existing environment.

The framework also provides local areas with more flexibility to make the most effective use of the land they have. This includes providing communities with a clear understanding of their local housing need through a new standard methodology. It supports first-time buyers and people in the private rented sector by introducing...
a new exception site policy and provides greater certainty for local authorities in the decision making and planning appeals processes. It introduces new protections for churches, community pubs and music venues that play such a vital role in communities and can support the local economy. And to ensure communities get the homes they have been promised, the framework provides greater clarity on the contributions that developers are expected to make, because they have a key role in delivery. A new housing delivery test will also measure delivery of homes, with consequences for under-delivery.

These are just some of the 85 reforms from the housing White Paper and the Budget, implemented in the new national planning policy framework. Together with other reforms and support the Government now look to developers, working with local planning authorities, communities and their representatives, and central Government, to meet the challenges of fixing our broken housing market.

[HCWS925]

Local Government Finance

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Today, my Department has published the “2019-20 Local Government Finance Settlement: technical consultation” as well as an “Invitation to Local Authorities in England to pilot 75% Business Rates Retention in 2019-20”.

The technical consultation reiterates this Government’s intention for the 2019-20 settlement to confirm the final year of the 2016-17 multi-year settlement accepted by 97% of authorities, and to implement council tax referendum principles as announced at the final 2018-19 settlement last year.

Looking to the longer term, the 2019 spending review will confirm funding from 2020-21. The Government are working towards significant reform in the local government finance system in 2020-21, including an updated, more robust and transparent distribution methodology to set baseline funding levels, and resetting business rates baselines.

This Government are committed to rewarding councils for supporting local firms and local jobs. The business rate retention system ensures that local authorities directly benefit from the proceeds of economic growth—with more funding to support local frontline services. All councils, including those which are currently less prosperous, have the opportunity to gain from this system.

The current 50% business rates retention scheme and piloting programme is yielding strong results. Local authorities estimate that in 2018-19 they will keep around £2.4 billion in business rates growth. Our continued reforms to this system will continue to give local authorities even greater control of their finances, but, to ensure a successful implementation, this Government are committed to testing aspects of the proposed new system.

This 2019-20 prospectus invites all local authorities (except for those with ongoing pilots in devolution deal areas and London) to apply to pilot 75% business rates retention in 2019-20.

From 2020-21 we are aiming to roll in additional grants, with a target of reaching 75% retention based on the current 2019-20 values of these grants. These pilots will help us test the retention system at this level. Given the limited time before 2020-21, when we aim to roll out increased business rates retention to all local authorities, there are fewer issues we can usefully test in pilots. It is therefore likely that this pilot programme will be smaller than in 2018-19.

Separately, the Government can confirm that local authorities in areas with a previously agreed devolution deal will continue to pilot 100% business rates retention in 2019-20. Separate conversations will happen with London authorities to decide arrangements following their 100% pilot this year.

Finally, I have noted the strength of feeling in local government around the issue of ‘negative reserve support grant’ and this technical consultation sets out the Government’s preferred approach to resolving the issue in 2019-20.

This preferred approach recognises the commitment made by the Government during the implementation of the business rate retention scheme in 2013-14, that tariff and top-ups would be fixed until the system was reset.

This commitment was made so that local authorities would benefit directly from supporting local business growth and the Government’s preferred approach does not reverse this commitment. In practice this will mean that the Government meet the cost of negative reserve support grant through forgone business rates.


[HCWS928]

Local Growth

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Today the Government are announcing a package of reforms to help all places throughout the UK to prepare for the opportunities leaving the European Union will bring. The Business Secretary and I are publishing a policy paper on strengthened local enterprise partnerships (LEPs). This publication sets out how we will work with LEPs on their role and responsibilities, leadership and organisational capacity, accountability and performance. A copy of the local enterprise partnership policy paper can be found here: https://www.gov.uk/government/publications/strengthened-local-enterprise-partnerships

We have also confirmed that Government will be working with all mayoral combined authorities and local enterprise partnerships to develop local industrial strategies. We will take a phased approach, and the next wave of places we will work closely with are the North East, Tees Valley, West of England, Leicester and Leicestershire, Cheshire and Warrington and Heart of the South West. Government will aim to agree local industrial strategies across England by early 2020. We will be publishing a further statement on local industrial strategies to guide locally-led work. This will be published over the summer. We will also discuss with devolved administrations and other stakeholders how local industrial strategies could work in the devolved Administrations.
Alongside these announcements, I can today set out our progress on designing the UK Shared Prosperity Fund (UKSPF). Our manifesto committed to establishing a UK shared prosperity fund to reduce inequalities between communities across our four nations, once we have left the European Union and EU structural funds. This progress statement provides an update on our proposals to develop a UK shared prosperity fund:

The objective of the UKSPF. The UKSPF will tackle inequalities between communities by raising productivity, especially in those parts of our country whose economies are furthest behind. The UKSPF will achieve this objective by strengthening the foundations of productivity as set out in our modern industrial strategy to support people to benefit from economic prosperity.

A simplified, integrated fund. EU structural funds have been difficult to access, and EU regulations have stopped places co-ordinating investments across the foundations of productivity. Simplified administration for the fund will ensure that investments are targeted effectively to align with the challenges faced by places across the country and supported by strong evidence about what works at the local level.

UKSPF in the devolved nations. The UKSPF will operate across the UK. The Government will of course respect the devolution settlements in Scotland, Wales and Northern Ireland and will engage the devolved administrations to ensure the fund works for places across the UK.

A national framework in England that works for local priorities. Local areas in England are being asked to prepare local industrial strategies to prioritise long-term opportunities and challenges to increasing local productivity. This prioritisation will help local areas decide on their approach to maximising the long-term impact of the UKSPF once details of its operation and priorities are announced following the spending review.

Consulting the public. We intend to consult on the UKSPF this year, as we committed to do in our industrial strategy.

Furthermore, in 2016 the Government guaranteed funding for UK organisations in receipt of EU funds where projects are agreed before the day the UK leaves the EU. The Government have today announced an extension to this guarantee, which will underwrite the UK’s allocation for structural and investment fund projects under this EU budget period to 2020 in the event of no deal. This ensures that UK organisations, such as charities, businesses and universities, will continue to receive funding over a project’s lifetime if they successfully bid into EU-funded programmes before December 2020.

As a result, I have decided that the following courts should close:

- Banbury magistrates and county court and Maidenhead magistrates court
- Chorley magistrates court and Fleetwood magistrates court
- Northallerton magistrates court, and
- Wandsworth county court, and Blackfriars Crown court.

I have concluded that the proposal to close Cambridge magistrates court should be withdrawn. This proposal received the largest number of responses to the consultation and the decision to consult was a finely balanced one, not least because this is a court in a strategic centre serving a large surrounding area. There is excess court capacity in the area but, following new information regarding the likely proceeds of disposal and consideration of the cost of re-provision, I have concluded the value-for-money case for closure has not been made. HMCTS will continue to explore further ways to manage under-utilisation of existing buildings in the region and across the country as part of its wider estates strategy.

In January, we also published for consultation “Fit for the future: transforming the Court and Tribunal Estate”, setting out our proposed approach to the future management of the HMCTS estate in the context of the wider modernisation programme. We have received many detailed responses to these proposals and these are still under consideration.

A response to this consultation will be published in due course. But, given the local interest in the eight courts and the need for certainty for those who use them, I felt it would not be right to delay our response to these proposals until we were ready to respond to the strategy consultation.

All savings and money raised through disposals as a result of these closures will be invested to support the HMCTS reform programme backed by both the Government and the senior judiciary. This programme will help to provide a more accessible and efficient justice for all those who use it.

[HCWS920]

Departmental Update

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): I am today announcing pay rises for prison officers. The Prison Service Pay Review Body has made its recommendation for the 2018-19 pay award and we are accepting the spirit of its recommendation.

Today’s pay award is worth 2.75% for all prison officers, of which 2% is consolidated and 0.75% non-consolidated. Some staff on modernised fair and sustainable contracts will also receive performance-related progression pay. The pay award is worth on average £1,220 for staff on fair and sustainable contracts.

The Government are committed to world-class public services and ensuring that public sector workers are fairly paid for the vitally important work that they do. It is thanks to our balanced approach to public finances—getting debt falling as a share of our economy, while investing in our vital services and keeping taxes low—that we are today able to announce a fair and deserved pay rise for prison officers.
We ended the 1% average pay policy in September 2017, because we recognised more flexibility is now required to deliver world-class public services, including in return for improvements to public sector productivity.

We value the role of the independent pay review bodies and thank them for their work in considering pay awards. In reaching a final position for 2018-19 public sector pay awards, we have balanced a need to recognise the value and dedication of our hard-working public servants while ensuring that our public services remain affordable in the long term, to contribute to our objective of reducing public sector debt. We have also sought to ensure that pay awards are fair and consistent across public sector workforces, and reflect existing pay and benefit packages, in addition to recruitment and retention levels.

It is vital that we consider all pay awards in the light of wider pressures on public spending. Public sector pay needs to be fair both for public sector workers and the taxpayer. Around a quarter of all public spending is spent on pay and we need to ensure that our public services remain affordable for the future.

It is also vital that our world-class public services continue modernising to meet rising demand for the incredible services they provide, which improve our lives and keep us safe.

The report has been laid before Parliament today. I am grateful to the chair and members of the PRB for their report.

[HCWS915]

PRIME MINISTER

Machinery of Government

The Prime Minister (Mrs Theresa May): I am making this statement to bring to the attention of the House a machinery of government change.

It is essential that in navigating the UK’s exit from the European Union, the Government are organised in the most effective way. To that end I am making some changes to the division of functions between the Department for Exiting the European Union (DExEU) and the Cabinet Office.

DExEU will continue to lead on all of the Government’s preparations for Brexit: domestic preparations in both a deal and a no deal scenario, all of the necessary legislation, and preparations for the negotiations to implement the detail of the future framework. To support this, DExEU will recruit some new staff, and a number of Cabinet Office officials co-ordinating work on preparedness will move to DExEU while maintaining close ties with both Departments.

I will lead the negotiations with the European Union, with the Secretary of State for Exiting the European Union deputising on my behalf. Both of us will be supported by the Cabinet Office Europe Unit and with this in mind the Europe Unit will have overall responsibility for the preparation and conduct of the negotiations, drawing upon support from DExEU and other Departments as required. A number of staff will transfer from DExEU to the Cabinet Office to deliver that.

There will be no net reduction in staff numbers at DExEU given the recruitment exercise described above.

[HCWS924]

TRANSPORT

Crossrail

The Minister of State, Department for Transport (Joseph Johnson): It has been another productive year for the Crossrail project with a number of key milestones achieved and progress made across all areas. The programme is now 93% complete and is entering the critical testing and commissioning stage.

In May as part of the second stage of the Crossrail opening strategy, TfL Rail took over operation of the former Heathrow Connect service to Heathrow airport as well as some local services between Paddington and Hayes & Harlington. This builds on the introduction of new Class 345 trains on the Liverpool Street to Shenfield route in June 2017. Fifteen of the new trains are now in regular service.

All core track work was completed last summer, which enabled the first Elizabeth line train to make its maiden voyage through the central tunnels in February this year. The new Abbey Wood station opened to existing rail passengers, and the construction and fit-out of the other new Elizabeth line stations continues to progress with the installation of lifts and escalators and completion of architectural finishes. The Department for Transport and Transport for London (TfL)—the joint sponsors of the project—continue to work with Crossrail Ltd to ensure operational readiness in advance of the opening of the Elizabeth Line.

As reported in the update to Parliament last year, cost pressures have increased across the project. Both the Department and TfL remain committed to the successful delivery of this project and have agreed an overall funding envelope for delivery of the project of £15.4 billion. This will enable the completion of the project at a cost lower than planned under the last Labour Government. The anticipated cost of the project was previously estimated at £15.9 billion in 2007 and increased to £17.8 billion in 2009, before the coalition Government took steps to bring down the costs following the June 2010 comprehensive spending review.

The additional funding is being provided to both Crossrail Ltd and Network Rail.

Some £300 million is being made available to Crossrail Ltd, with the Department for Transport and TfL contributing £150 million each.

Around £290 million is being provided for completion of the programme of works on the national rail network, and is being funded by the Department for Transport and Network Rail.

It remains the case that over 60% of the project’s funding has been provided by Londoners and London businesses.

Further details on Crossrail Ltd’s funding and finances in the period to 29 May 2018 are set out in the table below.

This year, the Crossrail project’s health and safety indicators have remained industry leading, with a strong performance demonstrated throughout the year with all the key indicators exceeding the corporate objectives for the year 2017-18.
Network Rail have also delivered a significant programme of Crossrail related surface works, successfully connecting the existing rail network with the Elizabeth line tunnels at Pudding Mill Lane, Plumstead and Westbourne Park. They have also completed the largest and most complex signalling upgrade ever undertaken by Network Rail on the approach into Paddington on one of the busiest stretches of railway in the country.

There have been planned changes in the leadership and governance of the project as we approach the final stages of delivery. I would like to take this opportunity to thank Andrew Wolstenholme for his work in progressing the programme and acting as a champion for Crossrail during his time as chief executive. He has been succeeded by Simon Wright as chief executive and programme director. Crossrail Ltd’s board has been restructured to keep the management of the programme efficient and cost effective while maintaining the people and structure necessary to deliver the railway through to full opening. As part of this, both the Department and TfL have appointed new non-executive directors to the Crossrail board to provide increased scrutiny and assist in the transition of the project as it enters its final stages.

As with all projects of this nature, there have been a number of engineering and technical challenges that have already been surmounted in order to build the first new railway for a generation, and there will continue to be challenges right up until the final completion of the project.

The new railway will transform travel in, to, and across London, with the positive economic benefits being felt across the country. Its legacy will continue to support many thousands of jobs, over 1,000 apprenticeships and a supply chain that is spread across the length and breadth of the UK.

During the passage of the Crossrail Bill through Parliament, a commitment was given that an annual statement would be published until the completion of the construction of Crossrail, setting out information about the project’s funding and finances.

The relevant information is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total funding amounts provided to Crossrail Limited by the Department for Transport and TfL in relation to the construction of Crossrail to the end of the period (22 July 2008 to 29 May 2018).</td>
<td>£11,713,723,131</td>
</tr>
<tr>
<td>Expenditure incurred (including committed land and property spend not yet paid out) by Crossrail Ltd in relation to the construction of Crossrail in the period (30 May 2017 to 29 May 2018) (excluding recoverable VAT on Land and Property purchases).</td>
<td>£1,619,238,000</td>
</tr>
<tr>
<td>Total expenditure incurred (including committed land and property spend not yet paid out) by Crossrail Ltd in relation to the construction of Crossrail to the end of the period (22 July 2008 to 29 May 2018) (excluding recoverable VAT on Land and Property purchases).</td>
<td>£12,506,215,837</td>
</tr>
<tr>
<td>The amounts realised by the disposal of any land or property for the purposes of the construction of Crossrail by the Secretary of State, TfL or Crossrail Ltd in the period covered by the statement.</td>
<td>£18,462,238</td>
</tr>
</tbody>
</table>

The numbers above are drawn from Crossrail Ltd’s books of account and have been prepared on a consistent basis with the update provided last year. The figure for expenditure incurred includes moneys already paid out in relevant period, including committed land and property expenditure where this has not yet been paid. It does not include future expenditure on construction contracts that have been awarded.

[HCWS918]
Petitions
Monday 16 July 2018

PRESENTED PETITIONS

Petition presented to the House but not read on the Floor

Home Education: draft guidance and consultation
The petition of residents of Gainsborough Constituency,
Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Sir Edward Leigh.]

The petition of residents of Havant Constituency,
Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Sir Edward Leigh.]

OBSERVATIONS

HEALTH AND SOCIAL CARE

Proposed Closure of Accrington Victoria NHS walk-in centre

The petition of residents of Hyndburn,
Declares that the petitioners are committed to defending NHS services in Hyndburn; and further that the walk-in service based at Accrington Victoria Hospital is a vital community health resource which must remain open, and that other NHS services in the area are being run down.

The petitioners therefore request that the House of Commons urges the Government to ensure that arrangements are put in place for the NHS in East Lancashire to ensure that the Accrington Victoria Hospital walk-in service remains open and that the closure of other NHS services in the area are halted.

And the petitioners remain, etc.—[Presented by Graham P. Jones, Official Report, 2 May 2018; Vol. 640, c. 426.]

Observations from the Minister for Health (Stephen Barclay):

The reconfiguration of local health services is a matter for the NHS. Service changes should be led by clinicians and be in the best interests of patients, not driven from the top down.

Following a three-month public consultation, East Lancashire clinical commissioning group (CCG) made the decision to close Accrington walk-in centre from 8pm on Sunday 17 June 2018. The other services provided out of Accrington Community Hospital such as the minor injuries unit, X-ray, and in-patient and out-patient services are not affected by the changes and will remain available. A new system of extended GP access has been implemented and patients will not be left without GP provision.

Decisions on the delivery of services are taken locally by those best placed to assess local need. While this is a local matter, the Government are clear that any major changes should meet the Government’s four tests for service change: they should have support from GP commissioners, be based on clinical evidence, demonstrate public and patient engagement, and consider patient choice.

East Lancashire CCG acknowledged that this is a real change for those patients who are used to being able to walk in to see a GP rather than phoning up for an appointment. However, there are a number of alternative options available without the need for a GP appointment that can be accessed directly.

GP services are accessible to patients through their own GP practice from 8am until 6.30pm Monday to Friday as usual. Pre-bookable appointments will also be available in the new extended GP service after 6.30pm on weekdays and at the weekend. These appointments will be booked through the patients’ own GP practice. This new model of extended GP access meets the principles that were tested and supported by local people through a formal consultation process. In addition, NHS 111 can signpost patients to the most appropriate services including an appointment with an out-of-hours GP if required. This means that more residents in East Lancashire will get care closer to home, through bookable appointments and better continuity of care with access to full medical records.

These are included in the public messaging produced by East Lancashire CCG in the following link: https://eastlancsccg.nhs.uk/patient-information/accrington-walk-in-centre.

It is the responsibility of the local NHS to ensure a smooth and safe transition, that contingencies are in place for any impacts of the closure, and that people have continued access to appropriate services that meet local needs.
Presented Petitions

Tuesday 17 July 2018

Presented Petitions
Petition presented to the House but not read on the Floor

Busy Bees Nursery

The petition of residents of Telford,

Declares that Busy Bees nursery is due to close on 31 August 2018 due to the Land Registry; further leaving 15 weeks for the staff and parents to find new jobs and care for their children.

The petitioners therefore request that the House of Commons urges the Government to reconsider the Land Registry’s decision and to give the nursery extended notice so that this much needed community asset can find a suitable alternative premises.

And the petitioners remain, etc.—[Presented by Lucy Allan.]

[Petitions]
Petitions

Wednesday 18 July 2018

PRESENTED PETITIONS
Petition presented to the House but not read on the Floor

Home education: draft guidance and consultation
The petition of residents of Meon Valley constituency.
Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Mr Robert Goodwill.]

The petition of residents of Dudley South constituency.
Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Maggie Throup.]

The petition of residents of Erewash constituency.
Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Ruth Smeeth.]

The petition of residents the United Kingdom.
Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Maggie Throup.]

And the petitioners remain, etc. /
CHARLTON BOULEVARD

The petition of residents of South Gloucestershire,
Declares that local residents have great concern over the proposal to make Charlton Boulevard into a bus only lane, and the resulting effect this will have on local congestion.

The petitioners therefore request that the House of Commons urges the Government to encourage South Gloucestershire Council, and all stakeholders in Charlton Hayes traffic planning to reassess the planned route.

And the petitioners remain, etc.—[Official Report, 20 June 2018; Vol. 643, c. 435.]

Observations from the Parliamentary Under-Secretary of State for Transport (Jesse Norman):

The Government’s view is that most projects should be decided locally to meet the needs of the local people and businesses, and to promote local economic growth, while taking into account any other considerations that may arise. In this case, the section of road in question is the responsibility of South Gloucestershire Council.

I understand that the proposal has been developed to prevent “rat-running” and to encourage the use of public and sustainable transport, including the new MetroBus route which will run along Highwood Road. The decision to take forward the proposal is likely to require a statutory Traffic Regulation Order (TRO). I would encourage the public to share their views when this procedure commences, which I understand will be within the next 12 months. In the meantime, I would suggest that the public continues to work with Council officers to understand the plans further.
Petitions

Thursday 19 July 2018

PRESENTED PETITIONS

Petition presented to the House but not read on the Floor

Home Education: draft guidance and the consultation

The petition of residents of South West Wiltshire,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Dr Andrew Murrison .]

The petition of residents of Charnwood constituency,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Matt Warman .]

The petition of residents of Tiverton and Honiton constituency,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Neil Parish .]

The petition of residents of South West Norfolk constituency,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc. . /
The petition of residents of Morecambe and Lunesdale,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

School funding in Tiverton and Honiton

The petition of residents of Tiverton and Honiton,

Declares that parents have concerns about funding for schools in the constituency of Tiverton and Honiton; further that Tiverton High School is facing pressure on staff numbers and further that parents and teachers in Tiverton and Honiton are concerned about ability to maintain high school standards.

The petitioners therefore request that the House of Commons does not let those cuts take place.

And the petitioners remain, etc.—[Presented by Neil Parish.]
Petitions
Monday 23 July 2018

PRESENTED PETITION
Petition presented to the House but not read on the Floor

Home Education: draft guidance and the consultation

The petition of residents of the United Kingdom,
Declare that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated; further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

—[Presented by Dr Thérèse Coffey, Official Report, 13 June 2018; Vol.642, c.8P.]

Observations from the Minister for School Standards (Nick Gibb):
The Government understand, and share, the concerns of the petitioners.

In cases such as Felixstowe Academy we take the action needed to ensure that pupils get the education they deserve. This includes consideration of all options, including a change in the trust running the academy where we deem that necessary. At the heart of our decision making is determining which measures will drive improvement quickly, and therefore best serve the interests of the academies’ students.

As a result of the Education and Adoption Act 2016, regardless of the terms in an academy’s funding agreement, the Regional Schools Commissioner (RSC), on behalf of the Secretary of State, can terminate the funding agreement of an academy that has been judged inadequate. However, this is a power rather than a duty. Rebrokerage can be a disruptive process for an academy, so the benefits of a new sponsor for the academy need to be carefully weighed against the possibility of progress stalling.

In the case of Felixstowe Academy, we issued a ‘Minded to Terminate’ notice to Academies Enterprise Trust (AET) on 7 March. This set out our concerns about Ofsted’s findings and our expectations of the trust to ensure they address these urgently. We have been in regular dialogue with the local MP, my hon. Friend the hon. Member for Suffolk Coastal (Dr Coffey) who won this issue, and we will continue to work fully with her to meet the needs of her constituents.
Petitions

Tuesday 24 July 2018

PRESENTED PETITIONS

Petition presented to the House but not read on the Floor

Home Education: draft guidance and the consultation

The petition of residents of Erewash constituency.

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Mrs Heather Wheeler.]

The petition of residents of Stoke North,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Maggie Throup.]

The petition of residents of Chippenham constituency,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Michelle Donelan.]

The petition of residents of Great Yarmouth constituency,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Peter Aldous.]

The petition of South Derbyshire constituency,

Declare that the “Home Education Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[Presented by Peter Aldous.]
The petition of residents of the United Kingdom,

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc. / The petition of residents of North West Durham constituency;

Declare that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc. / The petition of residents of Macclesfield,

Declare that the United Kingdom should maintain its lead in investment and job creation in clean industries, cut waste, improving air quality, and inspiring the next generation of engineers and scientists; further that the United Kingdom should work to restore natural habitats; and finally that Her Majesty's Government should take steps to mitigate the impact of climate change in the developing world, where more extreme weather is already having an impact.

The petitioners therefore request that the House of Commons urges the Prime Minister to give priority to a UK net zero emissions target, enshrined in law, ahead of the year 2050.

And the petitioners remain, etc. / OBSERVATIONS

EDUCATION

Home Education: draft guidance and the consultation

The petition of residents of South West Surrey,

Declares that the “Home Education—Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated; further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidelines and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc. — [Official Report, 26 June 2018; Vol. 643, c. 3P.] Petitions in the same terms were presented by the hon. Member for Ealing Central and Acton (Dr Huq) [P002164]; the hon. Member for Cheadle (Mary Robinson) [P002165]; the hon. Member for Henley (John Howell) [P002166]; the right hon. and learned Member for North East Hertfordshire (Sir Oliver Heald) [P002168]; the hon. Member for Crewe and Nantwich (Laura Smith)
The consultation “Home Education—Call for Evidence and revised DfE guidance” closed on 2 July 2018. The relevant documents can be found at: https://consult.education.gov.uk/school-frameworks/hom-education-call-for-evidence-and-revised-dfe-a/.

As well as the call for evidence, the consultation includes draft versions of two guidance documents on the current arrangements for home education. These are intended to replace the Department for Education’s current non-statutory guidance for local authorities, which is to be found at: https://www.gov.uk/government/publications/elective-home-education.

The Department discussed home education with stakeholders in the normal course of business up to the launch of the consultation on 10 April.

All responses to the consultation will be considered before publishing the finalised guidance documents. At no point has the Department stated an intention to publish them as final versions without revision in the light of responses received to the consultation.

Representations on whether the contents of the two draft guidance documents breach Article 8 of the European Convention on Human Rights (right to private and family life) or the provisions of the General Data Protection Regulation (as embodied into UK law in the Data Protection Act 2018), will be taken into account as we consider responses to the consultation.

The Department does not recognise the suggestion that consultation has been flawed or inadequate. Several thousand responses, the majority of which have come from home educating families, have been received, as well as a substantial petition, and there has been considerable opportunity for detailed comment and input from such families. Following the consultation and consideration of the responses, the two guidance documents will be published in the autumn of 2018 in their revised and finalised form. In addition, a formal Government response document analysing responses to the call for evidence, and setting out next steps, will also be published in the autumn of 2018.
Ministerial Correction

Monday 16 July 2018

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Tree Planting

The following is an extract from questions to the Secretary of State for Environment, Food and Rural Affairs on 12 July 2018.

Mr Philip Dunne (Ludlow) (Con): I welcome my hon. Friend the Minister back to her place. On the proper stewardship of trees, is she satisfied that the existing arrangements between the Forest Holidays group and the Forestry Commission fully accord with the commission’s statutory objectives?

Dr Coffey: We are not happy about the arrangement that the Forestry Commission has entered into with Forest Holidays, which is why my right hon. Friend the Secretary of State has asked Colin Day—the Department’s non-executive director and chair of its audit and risk committee—to undertake a review. He will be investigating the matter carefully.


Letter of correction from Dr Coffey:

An error has been identified in the response I gave to my hon. Friend the Member for Ludlow (Mr Dunne) during questions to the Secretary of State for Environment, Food and Rural Affairs.

The correct response should have been:

Dr Coffey: We are not happy about the arrangement that the Forestry Commission has entered into with Forest Holidays, which is why my right hon. Friend the Secretary of State has asked Colin Day—the Department’s non-executive director and chair of its audit and risk committee—to undertake an internal audit review. He will be investigating the matter carefully.
Mr Mark Francois (Rayleigh and Wickford) (Con): My first specific question is, assuming that the tax treaty comes into force fairly shortly, in what tax year would the new arrangements arise? In other words, would these veterans be charged at the new rate of 20% or more in the current tax year—2018-19—or would it only cut in, as it were, in a full tax year, in 2019-20? For anybody who is looking to plan, that is an important piece of information that, understandably, they want to know.

Mel Stride: My right hon. Friend asked in which tax year the measures would kick in, and the answer is in 2019-20 at the earliest.

Letter of correction from Mel Stride: An error has been identified in my response to my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois).

The correct response should have been:

Mel Stride: My right hon. Friend asked in which tax year the measures would kick in, and the answer is from 1 January 2019.
Ministerial Correction

Monday 23 July 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Space Policy

The following is an extract from the oral statement on Space Policy on 18 July 2018.

Crispin Blunt (Reigate) (Con): I congratulate my hon. Friend on this extremely welcome statement. As a fellow Surrey MP, he will be only too aware of the importance of the space industry to our county and of the astonishing success of the work in our county for the country. Will he confirm that if the EU remains determined on this astonishing act of self-harm as regards the development of the Galileo project, it will have to bear the long-term costs of the loss of all the British enterprise and expertise in this area, and that we will be free of the immensely bureaucratic allocation of jobs under this European programme, as is reflected in European defence and other space programmes as well? Once we are free to put our expertise within the international alliances where we can get the best possible return on our scientific expertise, so much the better, and in the long term it will be our 27 partners who bear the cost of this astonishing decision.

Mr Gyimah: My hon. Friend is absolutely right. Were the UK not to continue to participate in the Galileo programme, not only would the programme be delayed but it would cost EU member states a lot more.

Surrey Satellite Technology has been responsible for the cryptography and encryption of the Galileo system, and CGI UK, which has a presence in Surrey, has been responsible for building a number of the satellites. So the expertise and skills necessary to deliver the Galileo system reside in the UK, and were the EU to adopt what I consider to be an irrational position and not allow the UK to fully participate, we would not only take the action we need to take to protect critical national infrastructure, but we would also be at liberty to partner with other countries around the world, not only to develop our own global navigation and satellite system but to develop our space sector.

Letter of correction from Sam Gyimah:

An error has been identified in my response to my hon. Friend the Member for Reigate (Crispin Blunt).

The correct response should have been:

Mr Gyimah: My hon. Friend is absolutely right. Were the UK not to continue to participate in the Galileo programme, not only would the programme be delayed but it would cost EU member states a lot more.

Surrey Satellite Technology has been responsible for the cryptography and encryption of the Galileo system, and CGI UK, which has a presence in Surrey, has been responsible for building a number of the satellites. So the expertise and skills necessary to deliver the Galileo system reside in the UK, and were the EU to adopt what I consider to be an irrational position and not allow the UK to fully participate, we would not only take the action we need to take to protect critical national infrastructure, but we would also be at liberty to partner with other countries around the world, not only to develop our own global navigation and satellite system but to develop our space sector.
Ministerial Corrections

Tuesday 24 July 2018

DEFENCE

Defence Industry and Shipbuilding

The following is an extract from the Opposition day debate on Defence Industry and Shipbuilding on 11 July 2018.

Mr Ellwood: Returning to ships and the role of the maritime sector, we should remind ourselves of the significant changes to the Royal Navy fleet. We have two incredible aircraft carriers coming into service, a new generation of Dreadnought-class submarines, the Type 45 destroyers—the most advanced in the world—and the new Type 26 global combat ships. We also have the Type 31e frigates—which for export—have deliberately been designed with a modular concept. Depending on the export need, which could be interdiction, surface support or humanitarian purposes, its parts can be interchanged simply to adapt to the local requirement. This is an exciting time, and all the ships will be built in the United Kingdom.


Letter of correction from Tobias Ellwood:

An error has been identified in my response to the debate on Defence Industry and Shipbuilding.

The correct response should have been:

Mr Ellwood: Returning to ships and the role of the maritime sector, we should remind ourselves of the significant changes to the Royal Navy fleet. We have two incredible aircraft carriers coming into service, a new generation of Dreadnought-class submarines, the Type 45 destroyers—the most advanced in the world—and the new Type 26 global combat ships. We also have the Type 31e frigates—which for export—have deliberately been designed with a modular concept. Depending on the export need, which could be interdiction, surface support or humanitarian purposes, its parts can be interchanged simply to adapt to the local requirement. This is an exciting time, and all the ships will be built in the United Kingdom.

The following is an extract from the Opposition day debate on Defence Industry and Shipbuilding on 11 July 2018.

Mr Ellwood: Thirdly, we want to focus on building exports, where there is an opportunity, as the Type 31 will be the first frigate for export since the 1970s. We know that more sales can cut costs in procurement over time and give us the potential to buy even more cutting-edge ships.


Letter of correction from Tobias Ellwood:

An error has been identified in my response to the debate on Defence Industry and Shipbuilding.

The correct response should have been:

Mr Ellwood: Thirdly, we want to focus on building exports, where there is an opportunity, as the Type 31 will be the first frigate built with exports in mind. We know that more sales can cut costs in procurement over time and give us the potential to buy even more cutting-edge ships.

The following is an extract from the Opposition day debate on Defence Industry and Shipbuilding on 11 July 2018.

Sir Roger Gale: I may have misunderstood the Minister, and I know it is not the custom to ask a question to which one does not know the answer, but I think he said that Royal Naval ships were confined to aircraft carriers, frigates and destroyers. Would that not also apply to any replacement amphibious craft that we might need?

Mr Ellwood: My hon. Friend is absolutely right—that would be considered royal naval class, so not manned by the Royal Fleet Auxiliary.

It is important that, as we move forward, we look closely at value for taxpayers’ money.


Letter of correction from Tobias Ellwood:

An error has been identified in my response to my hon. Friend the Member for North Thanet (Sir Roger Gale) during the debate on Defence Industry and Shipbuilding.

The correct response should have been:

Mr Ellwood: That would be considered royal naval class, so not manned by the Royal Fleet Auxiliary.

It is important that, as we move forward, we look closely at value for taxpayers’ money.